

Congressional Record

PROCEEDINGS AND DEBATES

OF THE

SPECIAL SESSION
OF THE SENATE

SEVENTY-FIRST CONGRESS

OF

THE UNITED STATES, *Congress*
OF AMERICA

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WITH INDEX



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Geographical Names

OF THE UNITED STATES

SPECIAL AGENT
OF THE BUREAU

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OF THE UNITED STATES

VOLUME 13

1913



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PROCEEDINGS AND DEBATES OF THE SEVENTY-FIRST CONGRESS SPECIAL SESSION OF THE SENATE

SENATE

MONDAY, July 7, 1930

CHARLES CURTIS, of the State of Kansas, Vice President of the United States, called the Senate to order at 12 o'clock meridian. Rev. James W. Morris, D. D., assistant rector, Church of the Epiphany, of the city of Washington, offered the following prayer:

Blessed be Thy holy name, O God, the Father of our Lord Jesus Christ, for the rich blessings, temporal and spiritual, that Thou hast so abundantly bestowed upon our Nation.

Help us to make response in noble and unselfish living to these evidences of Thy favor, conducting our affairs at home and dealing with nations abroad in such fashion as shall tend to make available to all the world the blessings of peace and plenty that we enjoy.

We ask it in the name of Christ Jesus our Lord. Amen.

PROCLAMATION

The VICE PRESIDENT. The proclamation of the President of the United States convening the Senate in extraordinary session will be read.

The Chief Clerk (John C. Crockett) read the proclamation, as follows:

CONVENING THE SENATE IN SPECIAL SESSION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A proclamation

Whereas public interests require that the Senate of the United States be convened at 12 o'clock on the 7th day of July next to receive such communications as may be made by the Executive, and in particular to consider and determine whether the advice and consent of the Senate shall be given to the ratification of a treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930, by the plenipotentiaries of the President of the United States of America; the President of the French Republic; His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the seas, Emperor of India; His Majesty the King of Italy; and His Majesty the Emperor of Japan, transmitted to the Senate on May 1, 1930:

Now, therefore, I, Herbert Hoover, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Senate of the United States to convene at the Capitol, in the city of Washington, on the 7th day of July next, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members of that body are hereby required to take notice.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the United States.

Done at the city of Washington, this 3d day of July, in the year of our Lord 1930, and of the independence of the United States the one hundred and fifty-fourth.

[SEAL.]

HERBERT HOOVER.

By the President:

WILBUR J. CARR,

Acting Secretary of State.

LIST OF SENATORS BY STATES

Alabama—J. Thomas Heflin and Hugo L. Black.
Arizona—Henry F. Ashurst and Carl Hayden.
Arkansas—Joseph T. Robinson and T. H. Caraway.
California—Hiram W. Johnson and Samuel M. Shortridge.
Colorado—Lawrence C. Phipps and Charles W. Waterman.
Connecticut—Hiram Bingham and Frederic C. Walcott.
Delaware—Daniel O. Hastings and John G. Townsend.
Florida—Duncan U. Fletcher and Park Trammell.
Georgia—William J. Harris and Walter F. George.
Idaho—William E. Borah and John Thomas.
Illinois—Charles S. Deneen and Otis F. Glenn.

Indiana—James E. Watson and Arthur R. Robinson.
Iowa—Daniel F. Steck and Smith W. Brookhart.
Kansas—Arthur Capper and Henry J. Allen.
Kentucky—Alben W. Barkley and John M. Robison.
Louisiana—Joseph E. Ransdell and Edwin S. Broussard.
Maine—Frederick Hale and Arthur R. Gould.
Maryland—Millard E. Tydings and Phillips Lee Goldsborough.
Massachusetts—Frederick H. Gillett and David I. Walsh.
Michigan—James Couzens and Arthur H. Vandenberg.
Minnesota—Henrik Shipstead and Thomas D. Schall.
Mississippi—Pat Harrison and Hubert D. Stephens.
Missouri—Harry B. Hawes and Roscoe C. Patterson.
Montana—Thomas J. Walsh and Burton K. Wheeler.
Nebraska—George W. Norris and Robert B. Howell.
Nevada—Key Pittman and Tasker L. Oddie.
New Hampshire—George H. Moses and Henry W. Keyes.
New Jersey—Hamilton F. Kean and David Baird, jr.
New Mexico—Sam G. Bratton and Bronson M. Cutting.
New York—Royal S. Copeland and Robert F. Wagner.
North Carolina—F. M. Simmons and Lee S. Overman.
North Dakota—Lynn J. Frazier and Gerald P. Nye.
Ohio—S. D. Fess and Roscoe C. McCulloch.
Oklahoma—W. B. Pine and Elmer Thomas.
Oregon—Charles L. McNary and Frederick Steiwer.
Pennsylvania—David A. Reed and Joseph R. Grundy.
Rhode Island—Jesse H. Metcalf and Felix Hebert.
South Carolina—Ellison D. Smith and Cole L. Blease.
South Dakota—Peter Norbeck and Wm. H. McMaster.
Tennessee—Kenneth McKellar and W. E. Brock.
Texas—Morris Sheppard and Tom Connally.
Utah—Reed Smoot and William H. King.
Vermont—Frank L. Greene and Porter H. Dale.
Virginia—Claude A. Swanson and Carter Glass.
Washington—Wesley L. Jones and C. C. Dill.
West Virginia—Guy D. Goff and Henry D. Hatfield.
Wisconsin—Robert M. La Follette, jr., and John J. Blaine.
Wyoming—John B. Kendrick and Patrick J. Sullivan.

CALL OF THE ROLL

The VICE PRESIDENT. The Chief Clerk will call the roll of the Senate for the purpose of ascertaining the presence of a quorum.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Goldsborough	McKellar	Simmons
Barkley	Hale	McNary	Steiwer
Bingham	Harris	Metcalf	Stephens
Black	Harrison	Moses	Sullivan
Borah	Hastings	Norris	Swanson
Capper	Hayden	Nye	Thomas, Idaho
Caraway	Hebert	Oddie	Thomas, Okla.
Connally	Howell	Overman	Townsend
Couzens	Johnson	Patterson	Trammell
Dale	Jones	Phipps	Vandenberg
Fess	Kendrick	Pittman	Walcott
Fletcher	Keyes	Reed	Walsh, Mass.
George	King	Robinson, Ind.	Walsh, Mont.
Gillett	La Follette	Sheppard	Watson
Glenn	McCulloch	Shortridge	

Mr. LA FOLLETTE. I desire to announce the unavoidable absence of my colleague [Mr. BLAINE]. I ask that the announcement may stand for the day.

Mr. McKELLAR. My colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate for the day. I ask that this announcement may stand during the remainder of the day.

Mr. NYE. I desire to announce the necessary absence of my colleague the senior Senator from North Dakota [Mr. FRAZIER] and ask that this announcement stand for the day.

Mr. SHEPPARD. The Senator from Florida [Mr. FLETCHER], the senior Senator from South Carolina [Mr. SMITH], the Senator from Utah [Mr. KING], and the Senator from Missouri [Mr. HAWES] are necessarily detained from the Senate by illness.

The junior Senator from South Carolina [Mr. BLEASE] and the senior Senator from New Mexico [Mr. BRATTON] are necessarily detained from the Senate by reason of illness in their families.

Mr. CARAWAY. I wish to announce that my colleague the senior Senator from Arkansas [Mr. ROBINSON] is unavoidably absent for the day. He will be here to-morrow.

Mr. HAYDEN. I desire to announce the absence of my colleague the senior Senator from Arizona [Mr. ASHURST], who is attending a meeting of the Interparliamentary Union in London.

Mr. FESS. I was requested to announce that the Senator from South Dakota [Mr. NORRICK] is absent from Washington on official business. I ask that this announcement may stand for the special session.

The VICE PRESIDENT. Fifty-nine Senators have answered to their names. A quorum is present.

NOTIFICATION TO THE PRESIDENT

Mr. WATSON. Mr. President, I offer the resolution which I send to the desk, and ask for its immediate consideration.

The resolution (S. Res. 317) was read, considered, and agreed to, as follows:

Resolved, That a committee consisting of two Senators be appointed by the Vice President to wait upon the President of the United States and inform him that a quorum of the Senate has assembled and that the Senate is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT. The Chair appoints the Senator from Indiana [Mr. WATSON] and the Senator from Montana [Mr. WALSH].

HOOR OF DAILY MEETING

Mr. WATSON. I send to the desk a resolution, for which I ask immediate consideration.

There being no objection, the resolution (S. Res. 318) was read, considered, and agreed to, as follows:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

EMPLOYMENT OF PAGES

Mr. WATSON. Mr. President, I offer the resolution which I send to the desk, and ask its immediate consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 319), as follows:

Resolved, That the Sergeant at Arms hereby is authorized and directed to employ 21 pages for the Senate Chamber, to be paid out of the contingent fund of the Senate at the rate of \$4 each per day from the day following the adjournment of the second session of the Seventy-first Congress to the end of the month during which the present special session of the Senate adjourns.

The VICE PRESIDENT. Under the rule, the resolution will have to go to the Committee to Audit and Control the Contingent Expenses of the Senate, and it will be so referred.

Mr. FESS subsequently said: Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate Resolution 319 and ask unanimous consent for its immediate consideration.

There being no objection, the resolution was read, considered, and agreed to.

RECESS

Mr. WATSON. Mr. President, I move that the Senate stand in recess for 15 minutes to enable your committee to notify the President and receive any communication he may have to make to the Senate.

The motion was agreed to; and (at 12 o'clock and 12 minutes p. m.) the Senate took a recess for 15 minutes.

At the expiration of the recess the Senate reassembled.

Mr. McNARY. Mr. President, I am advised by the committee that they will not be able to return to the Chamber until about 20 minutes to 1 o'clock p. m. I therefore ask that the Senate continue in recess until that time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senate will stand in recess until 20 minutes to 1 o'clock p. m.

NOTIFICATION TO THE PRESIDENT

After the recess Mr. WATSON and Mr. WALSH of Montana appeared and

Mr. WATSON said: Mr. President, the committee appointed by the Chair to wait on the President of the United States and notify him that the Senate is in session and ask him whether or not he has any message to communicate have performed that

task and have been informed by the President that he will shortly communicate a message to the Senate.

MESSAGE FROM THE PRESIDENT

Mr. Latta, one of the secretaries of the President, appeared and said:

Mr. President, I am directed by the President of the United States to deliver to the Senate a message in writing.

The message was received by the Assistant Sergeant at Arms (C. A. Loeffler) and handed to the Vice President.

EXECUTIVE SESSION—LONDON NAVAL TREATY

Mr. BORAH. Mr. President, I move that the Senate proceed to the consideration of executive business in open session.

The motion was agreed to.

MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The message was read, ordered to lie on the table and to be printed as a document (S. Doc. No. 213), as follows:

To the Senate:

In requesting the Senate to convene in session for the special purpose of dealing with the treaty for the limitation and reduction of naval armament signed at London April 22, 1930, it is desirable that I should present my views upon it. This is especially necessary because of misinformation and misrepresentation which has been widespread by those who in reality are opposed to all limitation and reduction in naval arms. We must naturally expect opposition from those groups who believe in unrestricted military strength as an objective of the American Nation. Indeed, we find the same type of minds in Great Britain and Japan in parallel opposition to this treaty. Nevertheless, I am convinced that the overwhelming majority of the American people are opposed to the conception of these groups. Our people believe that military strength should be held in conformity with the sole purpose of national defense, they earnestly desire real progress in limitation and reduction of naval arms of the world, and their aspiration is for abolition of competition in the building of arms as a step toward world peace. Such a result can be obtained in no other way than by international agreement.

The present treaty is one which holds these safeguards and advances these ideals. Its ratification is in the interest of the United States. It is fair to the other participating nations. It promotes the cause of good relations.

The only alternative to this treaty is the competitive building of navies with all its flow of suspicion, hate, ill will, and ultimate disaster. History supports those who hold to agreement as the path to peace. Every naval limitation treaty with which we are familiar, from the Rush-Bagot agreement of 1817, limiting vessels of war on the Great Lakes, to the Washington arms treaty of 1921, has resulted in a marked growth of good will and confidence between the nations which were parties to it.

It is folly to think that because we are the richest Nation in the world we can outbuild all other countries. Other nations will make any sacrifice to maintain their instruments of defense against us, and we shall eventually reap in their hostility and ill will the full measure of the additional burden which we may thus impose upon them. The very entry of the United States into such courses as this would invite the consolidation of the rest of the world against us and bring our peace and independence into jeopardy. We have only to look at the state of Europe in 1914 to find ample evidence of the futility and danger of competition in arms.

It will be remembered that in response to recommendations from the Senate a conference between the United States, Great Britain, and Japan for limitation of those categories of naval arms not covered by the Washington treaty of 1921 was held at Geneva in 1927. That conference failed because the United States could not agree to the large size of fleets demanded by other governments. The standards set up at that time would have required an ultimate fleet of about 1,400,000 tons for the United States. As against this the total United States fleet set out under this treaty will be about 1,123,000 tons.

Defense is the primary function of government, and therefore our first concern in examination of any act of this character is the test of its adequacy in defense. No critic has yet asserted that with the navies provided in this agreement, together with our Army, our aerial defense, and our national resources, we can not defend ourselves, and certainly we want no Military Establishment for the purpose of domination of other nations. Our naval-defense position under this treaty is the more clear

If we examine our present naval strength in comparison to the present strength of the other nations, and then examine the improvements in this proportion which will result from this treaty. This improvement arises from the anticipation of parity in battleships to be reached 10 years hence under the Washington arms treaty and the fact that other nations have been building in the classes of ships not limited by that treaty, while we, until lately, lagged behind.

On the 1st of January last the total naval tonnage, disregarding paper fleets, and taking only those ships actually built and building, was, for the United States, 1,180,000 tons; for the British Empire, 1,332,000 tons; for Japan, 768,000 tons. That is, if the United States Navy be taken as 100, then the British Navy equals 113 and the Japanese Navy 65. Under this treaty the United States will have 1,123,000 tons; Great Britain, 1,151,000 tons; and Japan, 714,000 tons, or a ratio of 100 for the United States to 102.4 for Great Britain and 63.6 for Japan. The slightly larger tonnage ratio mentioned for Great Britain is due to the fact that her cruiser fleet will be constituted more largely of smaller vessels, weaker in gun power, but the United States has the option to duplicate the exact tonnage and gun caliber of the British cruiser fleet if we desire to exercise it.

The relative improvement in the position of the United States under this treaty is even better than this statement would indicate. In the more important categories battleships, aircraft carriers, 8-inch and 6-inch cruisers—that is, omitting the secondary arms of destroyers and submarines—the fleet built and actually building on January 1 of this year was 809,000 tons in the United States, 1,088,000 tons in Great Britain, and 568,000 tons in Japan, or upon the basis of 100 for the United States it was 134 for Great Britain and 70 for Japan. Under this treaty the United States will on January 1, 1937, possess completed 911,000 tons of these major units, Great Britain 948,000 tons, and Japan 556,000 tons. In addition, the United States will have one 10,000-ton 8-inch cruiser two-thirds completed. This will give a ratio in these categories of 100 for the United States to 102.9 for Great Britain and 60.5 for Japan. The reason for the excess British tonnage is again as mentioned above. In other words, the United States, in these categories, increases by 102,000 tons, Great Britain decreases by 140,000 tons, and Japan decreases by 12,000 tons. These readjustments of units are to take place during the next six years. The treaty then comes to an end except for such arrangements as may be made then for its continuance.

The major discussion has been directed almost wholly to the fact that the United States is to have 18 cruisers with 8-inch guns, with an aggregate tonnage of 180,000 tons, as against Great Britain's 15 such ships, with a tonnage of 146,800 tons and Japan's 12 such ships of a tonnage of 108,400 tons; the United States supplementing this tonnage with cruisers armed with 6-inch guns up to a total of 323,500 tons; Great Britain, up to 339,000 tons; and Japan, to 208,800 tons. The larger gross tonnage to Great Britain, as stated, being compensation for the larger gun caliber of the American cruiser fleet, but as said the United States has the option to duplicate the British fleet, if it so desires.

Criticism of this arrangement arises from the fact that the General Board of the United States Navy recommended that to reach parity with Great Britain the United States should have 3 more of the 10,000-ton cruisers—21 instead of 18—with 8-inch guns, and a total of 315,000 tons, or 8,000 tons less total cruiser tonnage than this treaty provides. Thus this treaty provides that instead of this 30,000 tons more of 8-inch ships recommended by the General Board, we will have 38,000 tons of ships armed with 6-inch guns, there being no limitation upon the size of cruisers up to 10,000 tons. Therefore, criticism revolves around less than 3 per cent of our whole fleet, and even within this 3 per cent comes the lesser question of whether 30,000 tons of ships armed with 8-inch guns are better than 38,000 tons armed with 6-inch guns. The opinion of our high naval authorities is divided on the relative merits of these alternatives. Many earnestly believe that the larger tonnage of 6-inch ships is more advantageous and others vice versa. However, those who seek to make this the outstanding feature of criticism fail to mention that under the London treaty the obligation of the Washington arms treaty of 1921 is so altered that Great Britain scraps 133,900 tons of battleships armed with 13½-inch guns, the United States scraps 70,000 tons of battleships armed with 12-inch guns, and Japan scraps 26,300 tons. These arrangements are made not only for reduction of arms but to anticipate the ultimate parity between the United States and Great Britain in battleships which would not otherwise be realized for several years.

There is in this provision a relative gain in proportions compared with the British fleet of 63,900 tons of battleships with 13½-inch guns. This is of vastly more importance than the

dispute as to the relative combatant strength of 38,000 tons of 6-inch cruisers against 30,000 tons of 8-inch cruisers. Indeed, it would seem that such criticisms must be based upon an undisciplined desire to break down all limitation of arms.

To those who seek earnestly and properly for reduction in war ships, I would point out that as compared with January 1 of this year, the total aggregate navies of the three powers under this treaty will have been reduced by nearly 300,000 tons. Had a settlement been made at Geneva in 1927 upon the only proposal possible at that time, the fleets of the three powers would have been approximately 680,000 tons greater than under the treaty now in consideration.

The economic burdens and the diversion of taxes from welfare purposes which would be imposed upon ourselves and other nations by failure of this treaty are worth consideration. Under its provisions the replacement of battleships required under the Washington arms treaty of 1921 is postponed for six years. The costs of replacing and maintaining the three scrapped battleships is saved. Likewise we make economies in construction and operation by the reduction in our submarine and destroyer fleets to 52,700 and 150,000 tons, respectively. What the possible saving over an otherwise inevitable era of competitive building would be, no one can estimate.

If we assume that our present naval program, except for this treaty, is to complete the ships authorized by Congress and those authorized and necessary to be replaced under the Washington arms treaty, and to maintain a destroyer fleet of about 225,000 tons and a submarine fleet of 90,000 tons, such a fleet will not reach parity with Great Britain, yet would cost in construction over \$500,000,000 more during the next six years than the fleet provided under this treaty. But, in addition to this, as stated, there is a very large saving by this treaty in annual operation of the fleet over what would be the case if we even built no more than the present programs.

The more selfish-minded will give little credence to the argument that savings by other parties to the agreement in the limitation of naval construction are of interest to the American people, yet the fundamental economic fact is that if the resources of these other nations are freed for devotion to the welfare of their people and to pacific purposes of reproductive commerce they will result in blessings to the world, including ourselves. If we were to accept the Geneva conference base as the end of naval strength under competitive building for the three governments, the saving in construction and operation by the treaty is literally billions of dollars.

The question before us now is not whether we shall have a treaty with either three more 8-inch cruisers or four less 6-inch cruisers, or whether we shall have a larger reduction in tonnage. It is whether we shall have this treaty or no treaty. It is a question as to whether we shall move strongly toward limitation and reduction in naval arms or whether we shall have no limitation or reduction and shall enter upon a disastrous period of competitive armament.

This treaty does mark an important step in disarmament and in world peace. It is important for many reasons that it should be dealt with at once. The subject has been under discussion since the Geneva conference three years ago. The lines of this treaty have been known and under discussion since last summer. The actual document has been before the American people and before the Senate for nearly three months. It has been favorably reported by the Senate Foreign Relations Committee. Every solitary fact which affects judgment upon the treaty is known, and the document itself comprises the sole obligations of the United States. If we fail now, the world will be again plunged backward from its progress toward peace.

HERBERT HOOVER.

THE WHITE HOUSE, July 7, 1930.

Mr. BORAH. Mr. President, may I suggest that I intend to ask for the formal reading of the treaty, after which I shall move an adjournment until to-morrow at 12 o'clock.

Mr. McKELLAR. Mr. President, before the Senator does that will he yield to me to offer a resolution in reference to the treaty?

Mr. BORAH. Certainly.

Mr. McKELLAR. I send to the desk a resolution, which I offer and ask to have read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read.

The Chief Clerk read the resolution (S. Res. 320), as follows:

Whereas on June 12, 1930, the Senate Committee on Foreign Relations by resolution requested the Secretary of State to send to it the letters, minutes, memoranda, instructions, and dispatches which were made use of in the negotiations prior to and during the sessions of the recent conference at London; and

Whereas that committee received only a part of such documents; and Whereas the Secretary of State, by direction of the President, denied a second request from the Foreign Relations Committee for the papers above described, and in his letter to the chairman of that committee the Secretary of State has apparently attempted to establish the doctrine that the treaty of London must be considered by the Senate "from the language of the document itself and not from extraneous matters"; and

Whereas that committee dissented from such doctrine and regarded all facts which enter into the antecedent or attempted negotiation of any treaty as relevant and pertinent when the Senate is considering a treaty for the purpose of ratification; and

Whereas that committee continued to assert its rights as the designated agent of the Senate to have full and free access to all records, files, and other information touching the negotiation of the treaty, such right being based on the constitutional prerogative of the Senate in the treaty-making process; and

Whereas the chairman of that committee transmitted a copy of those resolutions to the President and Secretary of State; and

Whereas the President and Secretary of State refused to submit the papers and documents requested by the Foreign Relations Committee: Now, therefore, be it

Resolved, That the President be, and he is hereby, requested to submit to the Senate all letters, cablegrams, minutes, memoranda, instructions, and dispatches and all records, files, and other information touching the negotiations of said London naval treaty, to the end that the Senate may be able to do and perform its constitutional obligations with respect to advising and consent to and ratifying such treaty, or rejecting same.

The VICE PRESIDENT. The resolution will go over until to-morrow under the rule.

Mr. REED. Mr. President, will the Senator from Idaho yield to me?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield.

Mr. REED. Much has been made of the matter of disclosing the cables exchanged between the President or the State Department and the American ambassador in London. Copies of all of those cables were submitted to the Senator from Arkansas [Mr. ROBINSON] and myself in confidence in preparation for the work at London. I still have the copy which was submitted to me in confidence, and, as I said to the committee when the question arose there, I shall be very glad to show the correspondence to any Senator who will accept it in the confidence in which I accepted it. The Senator who accepts my suggestion will readily see the reason why the correspondence ought not to be made generally public.

Mr. JOHNSON. Mr. President, will the Senator from Idaho yield?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from California?

Mr. BORAH. I yield.

Mr. JOHNSON. Here is the proposition that is made to the United States Senate: The Senator from Pennsylvania [Mr. REED] says, "I have the documents upon which this treaty was negotiated. I have read them." Of course, that is ample, I concede. "The Senator from Arkansas [Mr. ROBINSON] has read them and we have consulted concerning them. I," the Senator from Pennsylvania says, "will permit any other Member of the Senate, forsooth, to see these documents in confidence. He must not talk to any of his fellow Senators about them. He must not argue the treaty concerning them. He must do naught in relation to them."

But the Senator from Pennsylvania will permit any Member of the Senate to see in confidence these documents, provided that he holds inviolate the confidence—as any man would that ever gave it—and provided he does not utilize them in relation to the treaty. When that proposition was made in the Committee on Foreign Relations I scorned it just as I do now. As a United States Senator, representing a sovereign State and standing here representing the United States of America, I decline to accept in confidence from one of my colleague what he and another of my colleagues have used in the past and will utilize in the future. I demand, sir, for the United States Senate and for every Member of it and for this branch of my Government here represented by Members of the United States Senate, the right to see those documents and the right to utilize them in debate.

Mr. BORAH. I move that the Senate proceed to the consideration of the treaty.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the treaty (Ex. 1, 71st Cong., 2d sess.) for the limitation and reduction of naval armament, signed at London on April 22, 1930.

Mr. BORAH. Mr. President, I now ask for the formal reading of the treaty.

The VICE PRESIDENT. The clerk will read the treaty.

The legislative clerk proceeded to read the treaty.

Mr. WALSH of Montana. Mr. President, I suggest to the Senator from Idaho that we dispense with the reading of the formal parts of the treaty.

Mr. BORAH. Very well. I ask unanimous consent that the reading of the formal parts of the treaty—the signatures, and so forth—be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The legislative clerk resumed and concluded the reading of the treaty, which entire is as follows:

[Senate Executive 1, 71st Cong., 2d sess.]

LIMITATION AND REDUCTION OF NAVAL ARMAMENT

To the Senate:

I transmit herewith a treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930, by the plenipotentiaries of the President of the United States of America; the President of the French Republic; His Majesty the King of Great Britain, Ireland, and the British Dominions Beyond the Seas, Emperor of India; His Majesty the King of Italy; and His Majesty the Emperor of Japan, to the ratification of which I ask the advice and consent of the Senate.

HERBERT HOOVER.

THE WHITE HOUSE,
Washington, May 1, 1930.

THE PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, to the end that it may be transmitted to the Senate with a view to receiving the advice and consent of that body to ratification, if his judgment approve thereof, a treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930, by the plenipotentiaries of the President of the United States of America; the President of the French Republic; His Majesty the King of Great Britain, Ireland, and the British Dominions Beyond the Seas, Emperor of India; His Majesty the King of Italy; and His Majesty the Emperor of Japan.

Respectfully submitted.

HENRY L. STIMSON.

DEPARTMENT OF STATE,
Washington, April 30, 1930.

The President of the United States of America, the President of the French Republic, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy, and His Majesty the Emperor of Japan.

Desiring to prevent the dangers and reduce the burdens inherent in competitive armaments, and

Desiring to carry forward the work begun by the Washington Naval Conference and to facilitate the progressive realization of general limitation and reduction of armaments,

Have resolved to conclude a Treaty for the limitation and reduction of naval armament, and have accordingly appointed as their Plenipotentiaries:

The President of the United States of America:

Henry L. Stimson, Secretary of State;
Charles G. Dawes, Ambassador to the Court of St. James;
Charles Francis Adams, Secretary of the Navy;
Joseph T. Robinson, Senator from the State of Arkansas;
David A. Reed, Senator from the State of Pennsylvania;
Hugh Gibson, Ambassador to Belgium;
Dwight W. Morrow, Ambassador to Mexico;

The President of the French Republic:

Mr. André Tardieu, Deputy, President of the Council of Ministers, Minister of the Interior;
Mr. Aristide Briand, Deputy, Minister for Foreign Affairs;
Mr. Jacques-Louis Dumesnil, Deputy, Minister of Marine.
Mr. François Piétri, Deputy, Minister of the Colonies;
Mr. Aimé-Joseph de Fleuriau Ambassador of the French Republic at the Court of St. James;

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

for Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

The Right Honourable James Ramsay MacDonald, M.P., First Lord of His Treasury and Prime Minister;

The Right Honourable Arthur Henderson, M.P., His Principal Secretary of State for Foreign Affairs;

The Right Honourable Albert Victor Alexander, M.P., First Lord of His Admiralty;

The Right Honourable William Wedgwood Benn, D.S.O., D.F.C., M.P., His Principal Secretary of State for India; for the Dominion of Canada:

Colonel The Honourable James Layton Ralston, C.M.G., D.S.O., K.C., a Member of His Privy Council for Canada, His Minister for National Defence;

The Honourable Philippe Roy, a Member of His Privy Council for Canada, His Envoy Extraordinary and Minister Plenipotentiary in France for the Dominion of Canada;

for the Commonwealth of Australia:
The Honourable James Edward Fenton, His Minister for Trade and Customs;

for the Dominion of New Zealand:
Thomas Mason Wilford, Esquire, K.C., High Commissioner for the Dominion of New Zealand in London;

for the Union of South Africa:
Charles Theodore de Water, Esquire, High Commissioner for the Union of South Africa in London;

for the Irish Free State:
Timothy Aloysius Smiddy, Esquire, High Commissioner for the Irish Free State in London;

for India:
Sir Atul Chandra Chatterjee, K. C. I. E., High Commissioner for India in London;

His Majesty the King of Italy:
The Honourable Dino Grandi, Deputy, His Minister Secretary of State for Foreign Affairs;

Admiral of Division The Honourable Giuseppe Sirianni, Senator of the Kingdom, His Minister Secretary of State for Marine;

Mr. Antonio Chiaramonte-Bordonaro, His Ambassador Extraordinary and Plenipotentiary at the Court of St. James;

Admiral The Honourable Baron Alfredo Acton, Senator of the Kingdom;

His Majesty the Emperor of Japan:
Mr. Reljro Wakatsuki, Member of the House of Peers;

Admiral Takeshi Takarabe, Minister for the Navy;
Mr. Tsuneo Matsudaira, His Ambassador Extraordinary and Plenipotentiary at the Court of St. James;

Mr. Matsuzo Nagai, His Ambassador Extraordinary and Plenipotentiary to His Majesty the King of the Belgians;

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

PART I

ARTICLE 1

THE High Contracting Parties agree not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931-1936 inclusive as provided in Chapter II, Part 3 of the Treaty for the Limitation of Naval Armament signed between them at Washington on the 6th February, 1922, and referred to in the present Treaty as the Washington Treaty.

This provision is without prejudice to the disposition relating to the replacement of ships accidentally lost or destroyed contained in Chapter II, Part 3, Section I, paragraph (c) of the said Treaty.

France and Italy may, however, build the replacement tonnage which they were entitled to lay down in 1927 and 1929 in accordance with the provisions of said Treaty.

ARTICLE 2

1. The United States, the United Kingdom of Great Britain and Northern Ireland and Japan shall dispose of the following capital ships as provided in this Article:

United States:

"Florida".

"Utah".

"Arkansas" or "Wyoming".

United Kingdom:

"Benbow".

"Iron Duke".

"Marlborough".

"Emperor of India".

"Tiger".

Japan:

"Hiyei".

(a) Subject to the provisions of sub-paragraph (b), the above ships, unless converted to target use exclusively in accordance with Chapter II, Part 2, paragraph II (c) of the Washington Treaty, shall be scrapped in the following manner:

One of the ships to be scrapped by the United States, and two of those to be scrapped by the United Kingdom shall be rendered unfit for warlike service, in accordance with Chapter

II, Part 2, paragraph III (b) of the Washington Treaty, within twelve months from the coming into force of the present Treaty. These ships shall be finally scrapped, in accordance with paragraph II (a) or (b) of the said Part 2, within twenty-four months from the said coming into force. In the case of the second of the ships to be scrapped by the United States, and of the third and fourth of the ships to be scrapped by the United Kingdom, the said periods shall be eighteen and thirty months respectively from the coming into force of the present Treaty.

(b) Of the ships to be disposed of under this Article, the following may be retained for training purposes:

by the United States: "Arkansas" or "Wyoming".

by the United Kingdom: "Iron Duke".

by Japan: "Hiyei".

These ships shall be reduced to the condition prescribed in Section V of Annex II to Part II of the present Treaty. The work of reducing these vessels to the required condition shall begin, in the case of the United States and the United Kingdom, within twelve months, and in the case of Japan within eighteen months from the coming into force of the present Treaty; the work shall be completed within six months of the expiration of the above-mentioned periods.

Any of these ships which are not retained for training purposes shall be rendered unfit for warlike service within eighteen months, and finally scrapped within thirty months, of the coming into force of the present Treaty.

2. Subject to any disposal of capital ships which might be necessitated, in accordance with the Washington Treaty, by the building by France or Italy of the replacement tonnage referred to in Article I of the present Treaty, all existing capital ships mentioned in Chapter II, Part 3, Section II of the Washington Treaty and not designated above to be disposed of may be retained during the term of the present Treaty.

3. The right of replacement is not lost by delay in laying down replacement tonnage, and the old vessel may be retained until replaced even though due for scrapping under Chapter II, Part 3, Section II of the Washington Treaty.

ARTICLE 3

1. For the purposes of the Washington Treaty, the definition of an aircraft carrier given in Chapter II, Part 4 of the said Treaty is hereby replaced by the following definition:

The expression "aircraft carrier" includes any surface vessel of war, whatever its displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

2. The fitting of a landing-on or flying-off platform or deck on a capital ship, cruiser or destroyer, provided such vessel was not designed or adapted exclusively as an aircraft carrier, shall not cause any vessel so fitted to be charged against or classified in the category of aircraft carriers.

3. No capital ship in existence on the 1st April, 1930, shall be fitted with a landing-on platform or deck.

ARTICLE 4

1. No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun above 6.1-inch (155 mm.) calibre shall be acquired by or constructed by or for any of the High Contracting Parties.

2. As from the coming into force of the present Treaty in respect of all the High Contracting Parties, no aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun above 6.1-inch (155 mm.) calibre shall be constructed within the jurisdiction of any of the High Contracting Parties.

ARTICLE 5

An aircraft carrier must not be designed and constructed for carrying a more powerful armament than that authorized by Article IX or Article X of the Washington Treaty, or by Article 4 of the present Treaty, as the case may be.

Wherever in the said Articles IX and X the calibre of 6 inches (152 mm.) is mentioned, the calibre of 6.1 inches (155 mm.) is substituted therefor.

PART II

ARTICLE 6

1. The rules for determining standard displacement prescribed in Chapter II, Part 4 of the Washington Treaty shall apply to all surface vessels of war of each of the High Contracting Parties.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure) fully manned, engine, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores, and implements of every description that are intended to be carried in

war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition. The word "ton," except in the expression "metric tons," shall be understood to be the ton of 2,240 pounds (1,016 kilos).

ARTICLE 7

1. No submarine the standard displacement of which exceeds 2,000 tons (2,032 metric tons) or with a gun above 5.1-inch (130 mm.) calibre shall be acquired by or constructed by or for any of the High Contracting Parties.

2. Each of the High Contracting Parties may, however, retain, build or acquire a maximum number of three submarines of a standard displacement not exceeding 2,800 tons (2,845 metric tons); these submarines may carry guns not above 6.1-inch (155 mm.) calibre. Within this number, France may retain one unit, already launched, of 2,880 tons (2,926 metric tons), with guns the calibre of which is 8 inches (203 mm.).

3. The High Contracting Parties may retain the submarines which they possessed on the 1st April, 1930, having a standard displacement not in excess of 2,000 tons (2,032 metric tons) and armed with guns above 5.1-inch (130 mm.) calibre.

4. As from the coming into force of the present Treaty in respect of all the High Contracting Parties, no submarine the standard displacement of which exceeds 2,000 tons (2,032 metric tons) or with a gun above 5.1-inch (130 mm.) calibre shall be constructed within the jurisdiction of any of the High Contracting Parties, except as provided in paragraph 2 of this Article.

ARTICLE 8

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

(a) naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under;

(b) naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics:

(1) mount a gun above 6.1-inch (155 mm.) calibre;

(2) mount more than four guns above 3-inch (76 mm.) calibre;

(3) are designed or fitted to launch torpedoes;

(4) are designed for a speed greater than twenty knots.

(c) naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics:

(1) mount a gun above 6.1-inch (155 mm.) calibre;

(2) mount more than four guns above 3-inch (76 mm.) calibre;

(3) are designed or fitted to launch torpedoes;

(4) are designed for a speed greater than twenty knots;

(5) are protected by armour plate;

(6) are designed or fitted to launch mines;

(7) are fitted to receive aircraft on board from the air;

(8) mount more than one aircraft-launching apparatus on the centre line; or two, one on each broadside;

(9) if fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.

ARTICLE 9

The rules as to replacement contained in Annex I to this Part II are applicable to vessels of war not exceeding 10,000 tons (10,160 metric tons) standard displacement, with the exception of aircraft carriers, whose replacement is governed by the provisions of the Washington Treaty.

ARTICLE 10

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than capital ships, aircraft carriers and the vessels exempt from limitation under Article 8, laid down or completed by or for them after the coming into force of the present Treaty, the High Contracting Parties shall communicate to each of the other High Contracting Parties the information detailed below:

(a) the date of laying the keel and the following particulars:

- classification of the vessel;
- standard displacement in tons and metric tons;
- principal dimensions, namely: length at water-line, extreme beam at or below water-line;
- mean draft at standard displacement;
- calibre of the largest gun.

(b) The date of completion together with the foregoing particulars relating to the vessel at that date.

The information to be given in the case of capital ships and aircraft carriers is governed by the Washington Treaty.

ARTICLE 11

Subject to the provisions of Article 2 of the present Treaty, the rules for disposal contained in Annex II to this Part II shall be applied to all vessels of war to be disposed of under the said Treaty, and to aircraft carriers as defined in Article 3.

ARTICLE 12

1. Subject to any supplementary agreements which may modify, as between the High Contracting Parties concerned, the lists in Annex III to this Part II, the special vessels shown therein may be retained and their tonnage shall not be included in the tonnage subject to limitation.

2. Any other vessel constructed, adapted or acquired to serve the purposes for which these special vessels are retained shall be charged against the tonnage of the appropriate combatant category, according to the characteristics of the vessel, unless such vessel conforms to the characteristics of vessels exempt from limitation under Article 8.

3. Japan may, however, replace the minelayers "Aso" and "Tokiwa" by two new minelayers before the 31st December, 1936. The standard displacement of each of the new vessels shall not exceed 5,000 tons (5,080 metric tons); their speed shall not exceed twenty knots, and their other characteristics shall conform to the provisions of paragraph (b) of Article 8. The new vessels shall be regarded as special vessels and their tonnage shall not be chargeable to the tonnage of any combatant category. The "Aso" and "Tokiwa" shall be disposed of in accordance with Section I or II of Annex II to this Part II, on completion of the replacement vessels.

4. The "Asama", "Yakumo", "Izumo", "Iwate" and "Kasuga" shall be disposed of in accordance with Section I or II of Annex II to this Part II when the first three vessels of the "Kuma" class have been replaced by new vessels. These three vessels of the "Kuma" class shall be reduced to the condition prescribed in Section V, sub-paragraph (b) 2 of Annex II to this Part II, and are to be used for training ships, and their tonnage shall not thereafter be included in the tonnage subject to limitation.

ARTICLE 13

Existing ships of various types, which, prior to the 1st April, 1930, have been used as stationary training establishments or hulks, may be retained in a nonseagoing condition.

ANNEX I

RULES FOR REPLACEMENT

Section I.—Except as provided in Section III of this Annex and Part III of the present Treaty, a vessel shall not be replaced before it becomes "over-age." A vessel shall be deemed to be "over-age" when the following number of years have elapsed since the date of its completion:

(a) For a surface vessel exceeding 3,000 tons (3,048 metric tons) but not exceeding 10,000 tons (10,160 metric tons) standard displacement;

(i) if laid down before the 1st January, 1920: 10 years;

(ii) if laid down after the 31st December, 1919: 20 years.

(b) For a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement:

(i) if laid down before the 1st of January, 1921: 12 years;

(ii) if laid down after the 31st December, 1920: 16 years.

(c) For a submarine: 13 years.

The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over-age"; but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

Section II.—Except as otherwise provided in the present Treaty, the vessel or vessels whose retention would cause the maximum tonnage permitted in the category to be exceeded, shall, on the completion or acquisition of replacement tonnage, be disposed of in accordance with Annex II to this Part II.

Section III.—In the event of loss or accidental destruction a vessel may be immediately replaced.

ANNEX II

RULES FOR DISPOSAL OF VESSELS OF WAR

The present Treaty provides for the disposal of vessels of war in the following ways:

(i) by scrapping (sinking or breaking up);

(ii) by converting the vessel to a hulk;

- (iii) by converting the vessel to target use exclusively;
- (iv) by retaining the vessel exclusively for experimental purposes;
- (v) by retaining the vessel exclusively for training purposes.

Any vessel of war to be disposed of, other than a capital ship, may either be scrapped or converted to a hulk at the option of the High Contracting Party concerned.

Vessels, other than capital ships, which have been retained for target, experimental or training purposes, shall finally be scrapped or converted to hulks.

SECTION I. VESSELS TO BE SCRAPPED

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the date of the completion of its successor, or of the first of its successors if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within four and a half years from the date of laying the keel of the new vessel, or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement, this period is reduced to three and a half years.

(b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship:

- (1) all guns and essential parts of guns, fire control tops and revolving parts of all barbets and turrets;
- (2) all hydraulic or electric machinery for operating turrets;
- (3) all fire control instruments and rangefinders;
- (4) all ammunition, explosives, mines, and mine rails;
- (5) all torpedoes, war heads, torpedo tubes, and training racks;
- (6) all wireless telegraphy installations;
- (7) all main propelling machinery, or alternatively the armoured conning tower and all side armour plate;
- (8) all aircraft cranes, derricks, lifts and launching apparatus. All landing-on or flying-off platforms and decks, or alternatively all main propelling machinery;
- (9) in addition, in the case of submarines, all main storage batteries, air compressor plants and ballast pumps.

(c) Scrapping shall be finally effected in either of the following ways within twelve months of the date on which the work of rendering the vessel incapable of warlike service is due for completion:

- (1) permanent sinking of the vessel;
- (2) breaking the vessel up; this shall always include the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom plating.

SECTION II. VESSELS TO BE CONVERTED TO HULKS

A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of when the conditions prescribed in Section I, paragraph (b), have been complied with, omitting sub-paragraphs (6), (7) and (8), and when the following have been effected:

- (1) mutilation beyond repair of all propeller shafts, thrust blocks, turbine gearing or main propelling motors, and turbines or cylinders of main engines;
- (2) removal of propeller brackets;
- (3) removal and breaking up of all aircraft lifts, and the removal of all aircraft cranes, derricks and launching apparatus.

The vessel must be put in the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

SECTION III. VESSELS TO BE CONVERTED TO TARGET USE

(a) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of warlike service when there have been removed and landed, or rendered unserviceable on board, the following:

- (1) all guns;
- (2) all fire control tops and instruments and main fire control communication wiring;
- (3) All machinery for operating gun mountings or turrets;
- (4) All ammunition, explosives, mines, torpedoes and torpedo tubes;
- (5) All aviation facilities and accessories.

The vessel must be put into the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

(b) In addition to the rights already possessed by each High Contracting Party under the Washington Treaty, each High Contracting Party is permitted to retain, for target use exclusively, at any one time:

- (1) not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) one submarine.

(c) On retaining a vessel for target use, the High Contracting Party concerned undertakes not to recondition it for warlike service.

SECTION IV. VESSELS RETAINED FOR EXPERIMENTAL PURPOSES

(a) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section III (a) of this Annex.

(b) Without prejudice to the general rules, and provided that due notice be given to the other High Contracting Parties, reasonable variation from the conditions prescribed in Section III (a) of this Annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any High Contracting Party taking advantage of this provision is required to furnish full details of any such variations and the period for which they will be required.

(c) Each High Contracting Party is permitted to retain for experimental purposes exclusively at any one time:

- (1) not more than two vessels (cruisers or destroyers), but of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;
- (2) one submarine.

(d) The United Kingdom is allowed to retain, in their present conditions, the monitor "Roberts," the main armament guns and mountings of which have been mutilated, and the seaplane carrier "Ark Royal," until no longer required for experimental purposes. The retention of these two vessels is without prejudice to the retention of vessels permitted under (c) above.

(e) On retaining a vessel for experimental purposes the High Contracting Party concerned undertakes not to recondition it for warlike service.

SECTION V. VESSELS RETAINED FOR TRAINING PURPOSES

(a) In addition to the rights already possessed by any High Contracting Party under the Washington Treaty, each High Contracting Party is permitted to retain for training purposes exclusively the following vessels:

- United States: 1 capital ship ("Arkansas" or "Wyoming");
- France: 2 surface vessels, one of which may exceed 3,000 tons (3,048 metric tons) standard displacement;
- United Kingdom: 1 capital ship ("Iron Duke");
- Italy: 2 surface vessels, one of which may exceed 3,000 tons (3,048 metric tons) standard displacement;
- Japan: 1 capital ship ("Hiei"), 3 cruisers ("Kuma" class).

(b) Vessels retained for training purposes under the provisions of paragraph (a) shall, within six months of the date on which they are required to be disposed of, be dealt with as follows:

1. Capital Ships

The following is to be carried out:

- (1) removal of main armament guns, revolving parts of all barbets and turrets; machinery for operating turrets; but three turrets with their armament may be retained in each ship;
- (2) removal of all ammunition and explosives in excess of the quantity required for target practice training for the guns remaining on board;
- (3) removal of conning tower and the side armour belt between the foremost and aftermost barbets;
- (4) removal or mutilation of all torpedo tubes;
- (5) removal or mutilation on board of all boilers in excess of the number required for a maximum speed of eighteen knots.

2. Other surface vessels retained by France, Italy and Japan

The following is to be carried out:

- (1) removal of one-half of the guns, but four guns of main calibre may be retained on each vessel;
 - (2) removal of all torpedo tubes;
 - (3) removal of all aviation facilities and accessories;
 - (4) removal of one-half of the boilers.
- (c) The High Contracting Party concerned undertakes that vessels retained in accordance with the provisions of this Section shall not be used for any combatant purpose.

ANNEX III

Special vessels

UNITED STATES

Name and type of vessel:	Displacement, tons
Aroostook, minelayer	4,950
Ozula, minelayer	4,950
Baltimore, minelayer	4,413
San Francisco, minelayer	4,083
Cheyenne, monitor	2,890
Helena, gunboat	1,302
Isabel, yacht	938
Niagara, yacht	2,800
Bridgeport, destroyer tender	11,750
Dobbin, destroyer tender	12,450
Melville, destroyer tender	7,150
Whitney, destroyer tender	12,450
Holland, submarine tender	11,570
Henderson, naval transport	10,000

91,496

FRANCE	
Name and type of vessel:	Displacement, tons
Castor, minelayer	3,150
Pollux, minelayer	2,461
Commandant-Teste, sea mine carrier	10,000
Aisne, despatch vessel	600
Marne, despatch vessel	600
Ancre, despatch vessel	604
Scarpe, despatch vessel	604
Suippe, despatch vessel	604
Dunkerque, despatch vessel	644
LaFauz, despatch vessel	644
Bapaume, despatch vessel	644
Nancy, despatch vessel	644
Calais, despatch vessel	644
Landsguy, despatch vessel	644
Les Eparges, despatch vessel	644
Remiremont, despatch vessel	644
Tahure, despatch vessel	644
Toul, despatch vessel	644
Epinal, despatch vessel	644
Idévin, despatch vessel	644
(—), netlayer	2,293
	28,644

BRITISH COMMONWEALTH OF NATIONS	
Name and type of vessel:	Displacement, tons
Adventure, minelayer (United Kingdom)	6,740
Albatross, seaplane carrier (Australia)	5,000
Erebus, monitor (United Kingdom)	7,200
Terror, monitor (United Kingdom)	7,200
Marshal Soult, monitor (United Kingdom)	6,400
Olive, sloop (India)	2,021
Medway, submarine depot ship (United Kingdom)	15,000
	49,561

ITALY	
Name and type of vessel:	Displacement, tons
Miraglia, seaplane carrier	4,880
Faà di Bruno, monitor	2,800
Monte Grappa, monitor	605
Montello, monitor	605
Monte Cengio, ex-monitor	500
Monte Novogno, ex-monitor	500
Campania, sloop	2,070
	11,960

JAPAN	
Name and type of vessel:	Displacement, tons
Aso, minelayer	7,180
Tokiwa, minelayer	9,240
Asama, old cruiser	9,240
Yakumo, old cruiser	9,010
Izumo, old cruiser	9,180
Iwate, old cruiser	9,180
Kasuga, old cruiser	7,080
Yodo, gunboat	1,520
	61,430

PART III

The President of the United States of America, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of Japan, have agreed as between themselves to the provisions of this Part III:

ARTICLE 14

The naval combatant vessels of the United States, the British Commonwealth of Nations and Japan, other than capital ships, aircraft carriers and all vessels exempt from limitation under Article 8, shall be limited during the term of the present Treaty as provided in this Part III, and, in the case of special vessels, as provided in Article 12.

ARTICLE 15

For the purpose of this Part III the definition of the cruiser and destroyer categories shall be as follows:

Cruisers

Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons (1,880 metric tons), or with a gun above 5.1 inch (130 mm.) calibre.

The cruiser category is divided into two sub-categories, as follows:

- (a) cruisers carrying a gun above 6.1-inch (155 mm.) calibre;
- (b) cruisers carrying a gun not above 6.1-inch (155 mm.) calibre.

Destroyers

Surface vessels of war the standard displacement of which does not exceed 1,850 tons (1,880 metric tons), and with a gun not above 5.1-inch (130 mm.) calibre.

ARTICLE 16

1. The completed tonnage in the cruiser, destroyer and submarine categories which is not to be exceeded on the 31st December, 1936, is given in the following table:

Categories	United States	British Commonwealth of Nations	Japan
Cruisers:			
(a) with guns of more than 6.1-inch (155 mm.) calibre.	180,000 tons (182,880 metric tons)	146,800 tons (149,149 metric tons)	108,400 tons (110,134 metric tons)
(a) with guns of 6.1-inch (155 mm.) calibre or less.	143,500 tons (145,796 metric tons)	192,200 tons (195,276 metric tons)	100,450 tons (102,057 metric tons)
Destroyers	150,000 tons (152,400 metric tons)	150,000 tons (152,400 metric tons)	105,500 tons (107,188 metric tons)
Submarines	52,700 tons (53,543 metric tons)	52,700 tons (53,543 metric tons)	52,700 tons (53,543 metric tons)

2. Vessels which cause the total tonnage in any category to exceed the figures given in the foregoing table shall be disposed of gradually during the period ending on the 31st December, 1936.

3. The maximum number of cruisers of sub-category (a) shall be as follows: for the United States, eighteen; for the British Commonwealth of Nations, fifteen; for Japan, twelve.

4. In the destroyer category not more than sixteen per cent. of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement. Destroyers completed or under construction on the 1st April, 1930, in excess of this percentage may be retained, but no other destroyers exceeding 1,500 tons (1,524 metric tons) standard displacement shall be constructed or acquired until a reduction to such sixteen per cent. has been effected.

5. Not more than twenty-five per cent. of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.

6. It is understood that the submarines referred to in paragraphs 2 and 3 of Article 7 will be counted as part of the total submarine tonnage of the High Contracting Party concerned.

7. The tonnage of any vessels retained under Article 13 or disposed of in accordance with Annex II to Part II of the present Treaty shall not be included in the tonnage subject to limitation.

ARTICLE 17

A transfer not exceeding ten per cent. of the allowed total tonnage of the category or subcategory into which the transfer is to be made shall be permitted between cruisers of sub-category (b) and destroyers.

ARTICLE 18

The United States contemplates the completion by 1935 of fifteen cruisers of sub-category (a) of an aggregate tonnage of 150,000 tons (152,400 metric tons). For each of the three remaining cruisers of subcategory (a) which is entitled to construct the United States may elect to substitute 15,166 tons (15,409 metric tons) of cruisers of sub-category (b). In case the United States shall construct one or more of such three remaining cruisers of sub-category (a), the sixteenth unit will not be laid down before 1933 and will not be completed before 1936; the seventeenth will not be laid down before 1934 and will not be completed before 1937; the eighteenth will not be laid down before 1935 and will not be completed before 1938.

ARTICLE 19

Except as provided in Article 20, the tonnage laid down in any category subject to limitation in accordance with Article 16 shall not exceed the amount necessary to reach the maximum allowed tonnage of the category, or to replace vessels that become "over-age" before the 31st December, 1936. Nevertheless, replacement tonnage may be laid down for cruisers and submarines that become "over-age" in 1937, 1938 and 1939, and for destroyers that become "over-age" in 1937 and 1938.

ARTICLE 20

Notwithstanding the rules for replacement contained in Annex I to Part II:

(a) The "Frobisher" and "Effingham" (United Kingdom) may be disposed of during the year 1936. Apart from the cruisers under construction on the 1st April, 1930, the total replacement tonnage of cruisers to be completed, in the case of the British Commonwealth of Nations, prior to the 31st December, 1936, shall not exceed 91,000 tons (92,456 metric tons).

(b) Japan may replace the "Tama" by new construction to be completed during the year 1936.

(c) In addition to replacing destroyers becoming "over-age" before the 31st December, 1936, Japan may lay down, in each of the years 1935 and 1936, not more than 5,200 tons (5,283 metric tons) to replace part of the vessels that become "over-age" in 1938 and 1939.

(d) Japan may anticipate replacement during the term of the present Treaty by laying down not more than 19,200 tons (19,507 metric tons) of submarine tonnage, of which not more than 12,000 tons (12,192 metric tons) shall be completed by the 31st December, 1936.

ARTICLE 21

If, during the term of the present Treaty, the requirements of the national security of any High Contracting Party in respect of vessels of war limited by Part III of the present Treaty are in the opinion of that Party materially affected by new construction of any Power other than those who have joined in Part III of this Treaty, that High Contracting Party will notify the other Parties to Part III as to the increase required to be made in its own tonnages within one or more of the categories of such vessels of war, specifying particularly the proposed increases and the reasons therefor, and shall be entitled to make such increase. Thereupon the other Parties to Part III of this Treaty shall be entitled to make a proportionate increase in the category or categories specified; and the said other Parties shall promptly advise with each other through diplomatic channels as to the situation thus presented.

PART IV

ARTICLE 22

The following are accepted as established rules of International Law:

(1) In their action with regard to merchant ships, submarines must conform to the rules of International Law to which surface vessels are subject.

(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.

The High Contracting Parties invite all other Powers to express their assent to the above rules.

PART V

ARTICLE 23

The present Treaty shall remain in force until the 31st December, 1936, subject to the following exceptions:

(1) Part IV shall remain in force without limit of time;

(2) the provisions of Articles 3, 4 and 5, and of Article 11 and Annex II to Part II so far as they relate to aircraft carriers, shall remain in force for the same period as the Washington Treaty.

Unless the High Contracting Parties should agree otherwise by reason of a more general agreement limiting naval armaments, to which they all become parties, they shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present Treaty, it being understood that none of the provisions of the present Treaty shall prejudice the attitude of any of the High Contracting Parties at the conference agreed to.

ARTICLE 24

1. The present Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods and the ratifications shall be deposited at London as soon as possible. Certified copies of all the *procès-verbaux* of the deposit of ratifications will be transmitted to the Governments of all the High Contracting Parties.

2. As soon as the ratifications of the United States of America, of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of each and all of the Members of the British Commonwealth of Nations as enumerated in the preamble of the present Treaty, and of His Majesty the Emperor of Japan have been deposited, the Treaty shall come into force in respect of the said High Contracting Parties.

3. On the date of the coming into force referred to in the preceding paragraph, Parts I, II, IV and V of the present Treaty will come into force in respect of the French Republic and the Kingdom of Italy if their ratifications have been deposited at that date; otherwise these Parts will come into force in respect of each of those Powers on the deposit of its ratification.

4. The rights and obligations resulting from Part III of the present Treaty are limited to the High Contracting Parties mentioned in paragraph 2 of this Article. The High Contracting Parties will agree as to the date on which, and the conditions under which, the obligations assumed under the said Part III by the High Contracting Parties mentioned in paragraph 2

of this Article will bind them in relation to France and Italy; such agreement will determine at the same time the corresponding obligations of France and Italy in relation to the other High Contracting Parties.

ARTICLE 25

After the deposit of the ratifications of all the High Contracting Parties, His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland will communicate the provisions inserted in Part IV of the present Treaty to all Powers which are not signatories of the said Treaty, inviting them to accede thereto definitely and without limit of time.

Such accession shall be effected by a declaration addressed to His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 26

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland. Duly certified copies thereof shall be transmitted to the Governments of all the High Contracting Parties.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done at London, the twenty-second day of April, nineteen hundred and thirty.

HENRY L. STIMSON.
CHARLES G. DAWES.
CHARLES F. ADAMS.
JOSEPH T. ROBINSON.
DAVID A. REED.
HUGH GIBSON.
DWIGHT W. MORROW.
ARISTIDE BRIAND.
J. L. DUMESNIL.
A. DE FLEURIAU.
J. RAMSAY MACDONALD.
ARTHUR HENDERSON.
A. V. ALEXANDER.
W. WEDGEWOOD BENN.

PHILIPPE ROY.
JAMES E. FENTON.
T. M. WILFORD.
C. T. TE WATER.
T. A. SMIDDY.
ATUL C. CHATTERJEE.
G. SIRIANNI.
A. C. BORDONARO.
ALFREDO ACTON.
R. WAKATSUKI.
TAKESHI TAKARABE.
T. MATSUDAIRA.
M. NAGAI.

Certified a true copy,

[FOREIGN OFFICE SEAL.]

Librarian and Keeper of the Papers at the Foreign Office.

LONDON, April 22nd, 1930.

S. GABELEE,

Mr. SWANSON. Mr. President, I desire to give notice that as soon as we convene to-morrow I shall address the Senate upon the pending pact, if I can obtain recognition at that time.

ADJOURNMENT

Mr. BORAH. I move that the Senate adjourn until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 1 o'clock and 31 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 8, 1930, at 12 o'clock meridian.

SENATE

TUESDAY, July 8, 1930

Rev. James W. Morris, D. D., assistant rector, Church of the Epiphany, city of Washington, offered the following prayer:

Almighty and Everlasting God, who hast made of one blood all nations of men for to dwell on all the face of the whole earth, we pray Thee grant to those of these nations to whom in Thy wise providence Thou hast committed the destinies of our race the spirit of godly union and concord that so by their example and by their just and kindly dealings they may lead the world in the paths of peace and thus set forward the reign of Him who is the Prince of Peace, in whose name we offer our prayers. Amen.

ROYAL S. COPELAND, a Senator from the State of New York; OTIS F. GLENN, a Senator from the State of Illinois; WM. H. McMASTER, a Senator from the State of South Dakota; JOSEPH T. ROBINSON, a Senator from the State of Arkansas; JOHN M. ROSSIGNOL, a Senator from the State of Kentucky; and THOMAS D. SCHALL, a Senator from the State of Minnesota, appeared in their seats to-day.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LONDON NAVAL TREATY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament, signed at London, April 22, 1930.

Mr. SWANSON obtained the floor.

Mr. FESS. Mr. President, will the Senator from Virginia yield to enable me to suggest the absence of a quorum?

The VICE PRESIDENT. Does the Senator from Virginia yield for that purpose?

Mr. SWANSON. I yield.

Mr. FESS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Glenn	McNary	Shortridge
Bailey	Goldsbrough	Metcalf	Simmons
Bingham	Hale	Moses	Stetwer
Black	Harris	Norris	Stephens
Borah	Harrison	Nye	Sullivan
Capper	Hebert	Oddie	Swanson
Caraway	Howell	Overman	Thomas, Idaho
Connally	Johnson	Patterson	Thomas, Okla.
Copeland	Jones	Phipps	Townsend
Couzens	Kendrick	Reed	Trammell
Dale	Keyes	Robinson, Ark.	Vandenberg
Fess	La Follette	Robinson, Ind.	Walcott
George	McCulloch	Robison, Ky.	Walsh, Mass.
Gillett	McKellar	Schall	Walsh, Mont.
Glass	McMaster	Sheppard	Watson

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASE] are detained from the Senate by illness in their families.

Mr. LA FOLLETTE. I desire to announce the unavoidable absence of my colleague, the junior Senator from Wisconsin [Mr. BLAINE]. I ask that the announcement may stand for the day.

Mr. TOWNSEND. I wish to announce that my colleague, the senior Senator from Delaware [Mr. HASTINGS], is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. NYE. I desire to announce the necessary absence of my colleague the senior Senator from North Dakota [Mr. FRAZIER]. I ask that this announcement may stand for the day.

Mr. McKELLAR. My colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate for the day. I ask that this announcement may stand for the remainder of the day.

Mr. TRAMMELL. I wish to announce that my colleague the senior Senator from Florida [Mr. FLETCHER] is necessarily absent. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty Senators have answered to their names. A quorum is present.

Mr. JOHNSON. Mr. President, I wish to submit a parliamentary inquiry. What is the situation in respect to the resolution of the Senator from Tennessee [Mr. McKELLAR], which yesterday was presented?

The VICE PRESIDENT. When the Vice President assumed the chair this morning he supposed the resolution had been introduced and treated as a resolution submitted in open executive session. He was advised after assuming the chair that it was treated as a resolution introduced in legislative session. The Chair had intended to ask the Senator from Virginia to suspend while he laid the resolution before the Senate. The Chair believes that the resolution, having gone over for a day and having reference to executive business, is entitled to be laid before the Senate. That does not, of course, take the Senator from Virginia from the floor.

Mr. McKELLAR. Mr. President, may I inquire of the Senator from Virginia if he has any objection to letting the resolution be laid before the Senate and then proceeding with his remarks?

Mr. SWANSON. None.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The CHIEF CLERK. Senate Resolution No. 320, requesting the President to transmit to the Senate certain documents touching the negotiation of the pending naval treaty.

Mr. SWANSON. Mr. President, I desire to discuss the treaty in as logical order as I can, so I shall request I be not interrupted until I conclude my remarks, at which time I shall be glad to yield to any Senator and reply to any question or suggestion. I make this statement early so that if I fail to yield to any Senator during the course of my remarks he may not think it is because of any discourtesy directed toward him.

Mr. President, before discussing specifically the pending treaty, I desire to picture as far as I can the background and circumstances preceding its negotiation.

In 1916 President Wilson, after thoughtful consideration of world affairs and our rapidly expanding foreign commerce, reached the conclusion that the best interests of the United States required that America possess a navy equal to that of any nation. He made speeches in various sections of the country, strongly presenting this view and aroused public sentiment as to our needs in this respect. Under the preceding Republican administrations our Navy had been woefully neglected. In 1916 Congress passed a naval bill which created a new American Navy. A new naval policy was inaugurated and the bill was designed promptly to make effective the purposes outlined by President Wilson. The American Navy made a splendid record in the World War, and the program of naval construction was rapidly progressing at the conclusion of the World War.

It was evident to all that the American Navy provided for in the naval bill of 1916, when completed, would make the United States mistress of the seas—the American Fleet would be superior to any existing in the world. In this program was included the construction of six battle cruisers, which in speed and gun power would not only completely protect the commerce of the United States but would be able to menace and destroy the commerce of any other nation. This being evident, Great Britain, not desiring to surrender her naval supremacy, induced President Harding to call the Washington conference, and endeavor to reach an agreement for the limitation of naval armaments and to settle matters left unsettled by the World War.

This conference sought to accomplish parity between the fleets of Great Britain and the United States and a ratio of 10 to 6 between the fleets of Great Britain and the United States and that of Japan. After prolonged negotiations a treaty was entered into establishing parity between the United States and Great Britain in capital ships and aircraft carriers, and a ratio of 10 to 6 between the United States and Great Britain with Japan in the categories of these two classes of ships. Smaller ratios were assigned France and Italy. It was found impossible to enter into a treaty fixing ratios between the nations in any other class of ships. It was generally accepted that at that time the difficulty of reaching an agreement upon cruisers, destroyers, submarines, and other small craft was occasioned by the unwillingness of France to make a treaty limiting these classes of ships as proposed by Secretary Hughes. It was generally believed that although these classes of ships were not included in the treaty negotiated, yet the practical effect would be that competition in these naval armaments would also cease. The American public, by official declarations made at the time, were led to believe this. In order to obtain the parity sought in the Washington conference, and in the treaty negotiated, the United States sacrificed and destroyed new ships upon which she had expended about \$175,000,000. The United States in making this great sacrifice surrendered naval supremacy in order to have naval parity with Great Britain and prevent competition.

At the conclusion of the Washington conference the ratio in cruisers between the United States and Great Britain was approximately 10 for the United States and 13.2 for Great Britain. This superiority of Great Britain was offset by our superiority in submarines and destroyers, which made the auxiliary fleets of the two nations practically equal. It was hoped these ratios would be maintained in all classes of ships and naval competition with its suspicion, irritation, and vast expenditures would be eliminated in the future.

Each of these nations at that time possessed naval auxiliary ships which would from year to year become obsolete and have to be replaced. The life of a cruiser has generally been fixed at 20 years, after which time it becomes obsolete and should be replaced. The cost of operation, repairs, and the danger to the crews of cruisers of this age become so great that it is cheaper and better to replace them with new ones. Great Britain and Japan not being bound by the provisions of any treaty as to number of cruisers and auxiliaries at once commenced not only the replacing of obsolete ships but also began the construction of new ones. The United States under the Harding and Coolidge administrations not only failed to replace ships but for some time delayed the construction of new ships.

Because of this delay and failure to construct cruisers while Great Britain and Japan were doing so, the United States was confronted with a great disparity in naval strength in this class of ships, which are not only an aid to the fleet but are indispensable for the protection of commerce.

It would seem to me, Mr. President, that if there were understandings, either legal or moral, between the United States and Great Britain and Japan, the ratio of their fleets should be 10 for the United States, 10 for Great Britain, and 6 for Japan,

our Government was derelict in not calling the attention of Great Britain and Japan to their policy in rapidly exceeding these ratios and in not recommending to Congress new construction to maintain them. I know of no communication from our Government to either of these two Governments calling their attention to this fact and seeking to arrest the very rapid increase. I know of no recommendation to Congress to appropriate for construction of naval craft to maintain these ratios.

The failure of these two administrations to keep up these ratios was so pronounced that the United States descended from a first to a second class naval power.

This great disparity in cruiser strength which had existed for some years reached such proportions as to menace our safety and commerce. Thus, the United States, although it was the supreme naval power in 1922, has become, through negotiation and inaction, as is conceded by all, a second-rate naval power or, as is believed by many, a third-rate naval power.

In order to remedy this situation and correct the mistakes made since 1922, President Coolidge called the Geneva conference. That conference completely failed. I shall not discuss, nor would it be advantageous to discuss, the causes of that failure.

Following the failure of the Geneva conference the United States realized it was futile to endeavor to obtain an agreement for limitation of naval armament not covered by the Washington conference unless it showed a determination to build a real navy adequate for its needs. President Coolidge recommended to Congress a program to authorize the construction of cruisers and other ships needed, but desired no appropriation for this purpose. President-elect Hoover concurred in President Coolidge's authorization without appropriation. All thoughtful persons at once realized that the policy of President Coolidge and President-elect Hoover was not for a real navy but for a "blue-print navy" that would be ineffective either for negotiation or defense.

Congress and the American people had become tired of "blue prints" and wanted a real navy, and concluded that it was an opportune time to inform Great Britain and Japan that we were determined to have a Navy equal to any and adequate for our commercial and political protection. Ignoring the recommendations of President Coolidge and President-elect Hoover, Congress passed a bill authorizing the construction of fifteen 8-inch-gun cruisers and directed they should be constructed in three years, five each year. This authorization bill passed Congress by an overwhelming majority and was followed by an appropriation bill directing that the cruisers conform to the Washington treaty and that 10 of the cruisers be built in two years. By this legislation the firm determination of the United States for a real navy was overwhelmingly established. It was argued by those who favored the 15-cruiser bill and immediate construction that it would be the only efficient method by which an agreement for the limitation of naval armament could be obtained. It was argued that Great Britain would then ask for a conference. Subsequent events proved that the course advocated by friends of the 15-cruiser bill was right, and their predictions have been fulfilled. Immediately after the passage of this cruiser bill the Government of Great Britain requested a conference in order that an agreement might be reached between the five great naval powers for limitation of all naval armament. If credit is due for the London conference and London treaty, it is due to those who supported the 15-cruiser bill, which provided for real cruisers and not "blue prints," since this action created the desire of others for a conference with the United States. If the policy of mere "blue prints" had been followed, I do not believe that Great Britain would have asked for a conference.

The London treaty was negotiated and presented to the Senate for approval in order to correct the naval mistakes made by the two preceding administrations. It should receive full, fair, and impartial consideration. The question presented is, Shall the treaty be ratified or rejected? Which course does the interest of the United States demand?

At the threshold of reaching a conclusion we must determine if it is a wise policy for the United States to enter into an agreement for the limitation of naval armament, or is it better for the United States to have no agreement and build such a Navy as desired. The United States through Congress has declared her policy to be for entering into an agreement for the limitation of naval armament. In the act of 1916, which gave America naval supremacy, is expressed the desire for an agreement for limitation of naval armament, and a provision that when this is accomplished, construction under the act should be discontinued. A similar provision is in the 15-cruiser bill of 1929.

Those who are opposed to any agreement for the limitation of naval armament contend that the United States because of her wealth and resources can build a great navy with less burden of

taxation than any other nation, and therefore should not consent to limitation of naval armament. They would establish sea supremacy regardless of expense and the burden of taxation, regardless of the irritation and suspicion and ill will that would be engendered. The policy declared by America in recent years has been for a navy equal to that of any other nation, for proportional strength with other nations to insure her safety and the protection of her commerce. To my mind this is the wise policy to pursue. To venture upon the pathway of naval supremacy will mean limitless expense, years of severe and bitter competition. It will create fear, irritation, and suspicion against us among all nations, and result in a combination against us which will be neither advantageous to us or the peace of the world, and the final outcome of which no one can foretell.

The history of the world is filled with the frightful wreck and decadence of nations that once possessed and aspired for naval supremacy and world domination. The first nation in modern times boldly to venture upon the sea and there acquire dominance was Portugal, and great was her power and vast her possessions. Spain seized the scepter from Portugal and continents became her colonies and more than one-half the world received as law her will. Holland snatched the scepter from Spain and held it for years. Then Great Britain grasped the scepter and for several centuries has ruled the fickle and treacherous sea. This splendid burden has become too great for her to bear and she is willing now to forego her supremacy and enter into an agreement for limitation of naval armament so that no nation shall be mistress of the sea. Her wisdom in this is clearly demonstrated, for history teaches one sad but sure lesson—that naval conquest and supremacy end in disaster. To all nations who have bid for and obtained naval supremacy, the shadows of their doom have arisen slowly but surely from the pitiless sea.

Mr. President, however much we may admire the patriotism of those of our country that would refuse all agreements for limitation of naval armaments and boldly bid and build for naval supremacy, it seems to me that wisdom and experience should forbid us to make the dangerous venture. A just treaty providing for limitation of naval armament to my mind is the wiser policy and will be the most productive of prosperity and safety. This is the policy the United States has declared in recent years through its various Congresses and Presidents. The question presented to us for decision is whether or not this treaty gives sufficient protection to our interests to justify us approving it in furtherance of this wise policy.

The first requisite of a treaty for limitation of armament is that it assures each nation substantial safety at home and that it will not be subject to conquest by any nation party to the treaty. No nation would sign a treaty for limitation of armament that would jeopardize its home safety and leave it subject to conquest.

There are different ideas of safety prevalent in the world. The military idea of safety is that it is only acquired when military supremacy is possessed. We should not complain that military officers hold this view as we are dependent upon them and their skill for protection when our safety or commerce is threatened. The military idea that supremacy and safety are inseparable is disclosed by the criticism of naval officials of this treaty in the United States, Great Britain, and Japan. The extreme naval men in Japan insist that this treaty is very injurious to Japan and imperils her safety. The big-navy party in Great Britain contends that this treaty is ruinous to Great Britain, that her naval strength will be so reduced as to menace the safety of the British Empire. The big-navy men in the United States declare that this treaty jeopardizes the safety of the United States and puts her commerce and possessions in peril. The contentions of the big-navy men in all of these countries clearly disclose that with them safety exists only where there is superiority. The military mind construes "safety" as synonymous with "superiority."

It would be a most interesting conference if the naval experts of the United States, Great Britain, and Japan should meet and publicly discuss this treaty. I should like to hear the arguments presented proving that each country would be loser by the treaty. It is difficult to understand how all can lose and none gain. The contention made alike by the extreme big-navy men in the United States, Great Britain, and Japan that their country was discriminated against in the treaty leads a thoughtful person to conclude that the treaty gives no substantial advantage to any country, but is reasonably just and fair, and that the concessions made were mutual, were not very injurious to any country, and were necessary for an agreement. It would seem that the objections arise because the treaty fails to give any marked advantage to any country. It would be useless to make a treaty of this kind, as it would certainly fail of ratification in the country discriminated against.

Mr. President, the statesmen of the various countries upon whom rests the responsibility for peace or war, for the imposition of taxes, for the expenditure of money, must determine in their wisdom whether the treaty shall be ratified or rejected. They are best acquainted with international questions, and know better than others the possibilities of rupture, and the effect of foreign policies. They can not shirk their responsibility by blindly following the recommendations of naval authorities. They should listen carefully to the representations made by military and naval experts, but they should not be controlled by them. Nations dominated by military men lose their liberty, and have never pursued the pathway of peace and prosperity. Military control is contrary to the very spirit and genius of American institutions.

Mr. President, to aid us in reaching a conclusion as to the justness and fairness of this treaty we will first compare the capital ships and their allotted tonnage of the navies of the United States, Great Britain, and Japan under the pending treaty. This is of the utmost importance, as capital ships of navies at present form the backbone of the navy. The nation that is supreme in capital ships will ultimately control the surface of the sea. The object of navies is to control the surface of the sea, since the nation possessing it will have its commerce uninterrupted and its military power moved wherever needed. Hence the most important of all comparisons to be made in this naval treaty is a comparison of the battleships of the three nations concerned in the treaty.

At the Washington conference a ratio in capital ships was established of 10 for the United States, 10 for Great Britain, and 6 for Japan. The present treaty does not interfere with this ratio. This ratio at the Washington conference could not be immediately established since each navy possessed ships of varying age and varying tonnage, some of which had to be destroyed. Under the Washington treaty, on the 31st of December, 1929, the United States had 532,400 tons of capital ships, Great Britain had 608,650 tons of capital ships, and Japan had 292,400 tons of capital ships. The ratios as of that date were 10 for the United States, 11.4 for Great Britain, and 5.5 for Japan. Thus, Great Britain possessed in capital ships 1.4 more than the ratio agreed to in the Washington conference, and Japan 0.5 less.

The Washington treaty provided that by December 31, 1936, the United States and Great Britain would each complete 5 new capital ships and would have under construction for completion in 1937, 1938, and 1939, 5 others, and that Japan would complete 3 new capital ships and have under construction for completion in 1937, 1938, and 1939, 3 others. On completion of these ships, certain other ships were required to be scrapped; and the capital-ship situation in 1936 would have been United States, 15 ships, 499,600 tons; British Empire, 15 ships, 496,200 tons; Japan, 9 ships, 289,080 tons. The exact 10-10-6 ratio would not have been reached until 1942, at which time the United States and Great Britain would have each completed 15 new 35,000-ton ships and Japan 9 new 35,000-ton ships, and all the capital ships now in existence would have been scrapped.

The pending treaty seeks to obtain parity at once. In order to do this Great Britain scraps 5 ships, the United States 3 ships, and Japan 1 ship. The aggregate tonnage of capital ships scrapped by the United States under the treaty is 69,900 tons; the tonnage of capital ships scrapped by Great Britain is 133,900 tons; and the tonnage scrapped by Japan of capital ships is 26,330 tons. After these ships have been scrapped the ratio will leave the United States in capital ships 462,400 tons, Great Britain 474,750 tons, and Japan 266,070 tons. The ratio in capital ships on a tonnage basis will then be 10 for the United States, 10.3 for Great Britain, and 5.8 for Japan. Thus it will be noted that in the tonnage of capital ships Great Britain will have 0.3 in excess of her ratio and Japan will have 0.2 less than her ratio of capital ships.

The United States under the Washington treaty had the right to modernize her capital ships. The present modernizing of a capital ship adds about 3,000 tons to each ship. Should the same modernization be applied to the remaining five American ships, it would add 15,000 tons of capital-ship tonnage to the allotment given the United States. This would then make the capital ships of the United States 477,400 tons, Great Britain 474,750 tons, and Japan 266,070 tons. Thus, if we exercised our undisputed rights, the ratio of capital ships under the treaty would then be 10 for the United States, 9.9 for Great Britain, and 5.6 for Japan. Thus, if this should be done, Great Britain would have 0.1 less than her ratio in capital ships and Japan 0.4 less in her ratio. Thus, the United States has no right to complain that her ratio of capital ships has not been fully obtained and respected in this treaty as provided in the Washington treaty.

Of the three ships scrapped by the United States, two were completed in 1911 and one in 1912. The five ships scrapped by Great Britain were completed in 1914, and hence were later ships. The ship scrapped by Japan was completed in 1914, and hence was of a later construction than those scrapped by the United States. The three ships scrapped by the United States had 32 guns of 12 inches, and the ships scrapped by Great Britain had 48 guns of 13½ inches. The ship scrapped by Japan had eight guns of 14 inches. The speed of two of the United States ships was 21 knots, and the speed of one 22 knots. The speed of the ships scrapped by Great Britain were four ships of 21 knots and one ship of 30 knots. The speed of the ship scrapped by Japan was 27½ knots. Thus the ships scrapped by Great Britain and Japan were of a later date, were of greater gun power, and on an average exceeded those of the United States in speed. Thus it can not be complained that the United States had any disadvantage in the scrapping agreed to.

It is asserted that the English fleet has advantages over the fleet of the United States from the fact that it has three battle cruisers having a speed of 31 knots, which we do not possess in our fleet. I do not think that these battle cruisers which are counted as a part of the capital ships allotted to Great Britain give any advantage to her fleet. After careful consideration, I believe it is a disadvantage and not an advantage to the British fleet. The United States has sought to make its capital ships of a uniform speed of 21 knots. A fleet must be concentrated and not scattered if it is brought in combat with an opposing fleet approaching it in strength. The necessity of doing this makes a fleet no faster than its slowest ship. In order to give speed to ships, they are compelled to carry less or smaller guns, or have less armor protection. A battle cruiser in conflict with a battleship of equal tonnage would be helpless and would be very quickly destroyed. Its safety would consist in its ability to run and escape the attack of the battleship. In fleet action, a ship can not afford to leave the fleet without greatly reducing its strength. Hence the battle cruiser part of the fleet can not leave the fleet for convoy or raiding purposes. As the Washington conference limits guns to 16 inches, the battle cruiser has not superiority in gun power. A battle cruiser to be effective must have superiority in gun power, in gun range, and then its superiority in speed enables it to flee from a battleship and with its superior guns hit the battleship without being hit itself. Without its superiority of guns united with speed, a battle cruiser is vastly inferior to a battleship.

America has constructed her battle fleet on the idea of about 21 knots with great gun power and with great thickness of armor so that the ship can give punishment and receive punishment without destruction. The speed of the British capital ships ranges from 23 to 31 knots in its battle cruisers. What the battle cruiser makes up in speed, it must surrender in armor protection and gun power.

I believe that the American preference for superior guns and superior armor is wise, and if a conflict should ever come, which I do not believe possible, between the United States fleet and the British fleet, I am sure this decision will be justified. It has been asserted that Great Britain has two later ships than the United States—the *Rodney* and the *Nelson*—which were completed in 1927. Great Britain under the Washington treaty was given the privilege of constructing two new ships, which are the *Rodney* and the *Nelson*. Under the same treaty the United States was given the privilege of constructing two ships of the *West Virginia* type, which she was then building and which she completed in 1923. Thus Great Britain has two ships four years later than our two ships, but if we compare the completion of the other 13 capital ships of the United States with the completion of the other 13 capital ships of the British Navy, I think the conclusion must be reached that in the aggregate the American fleet is as modern, up to date, and of later construction, equal to that of Great Britain. The average age of the American capital ships under the London treaty will be 12.2 years, the British ship 12.4 years, the Japanese 13.1 years. Thus the American capital ships will have a very slight advantage over the British and a greater advantage over the Japanese in point of age. The conclusion reached by nearly all naval experts who have examined the relative strength of the United States fleet and that of Great Britain is that they are as near parity as could be obtained, and many of the officers that I have talked with express an opinion that they would prefer the American fleet in capital ships to the capital ships of the British fleet on account of our method of construction in having less speed and more armor and gun power. I can not but believe that the American fleet is somewhat superior to the British fleet in armor protection, and this, I believe, will be further increased when we have completed the modernization of our ships. And the capital ships

have been scrapped under the treaty the batteries for the capital ships will be as follows:

The United States will have twenty-four 16-inch guns; Great Britain will have eighteen 16-inch guns; and Japan will have sixteen 16-inch guns. The United States will have one hundred and twenty-four 14-inch guns; Great Britain will have one hundred 15-inch guns; and Japan will have seventy-two 14-inch guns. In addition to this the United States will have twelve 12-inch guns, of which neither Great Britain nor Japan have any. The batteries of the capital-ship fleet as constituted under the treaty will be as follows:

The United States will have 160 guns; Great Britain will have 118 guns; and Japan will have 88 guns. This will show, I think, clearly a superiority of gun power of the United States fleet over that of Great Britain, and a clear ratio of 10 to 6 over that of Japan.

Mr. President, I am satisfied that under this treaty the ratio of 10 for the United States, 10 for Great Britain, and 6 for Japan has been provided for as substantially and practically as it is possible to do so under any treaty. Especially will this be true when all our capital ships have been modernized and their guns have been elevated, as we obtained the unquestioned right to do by negotiating this treaty. The differences existing between the fleets have been occasioned by difference of the judgment of naval experts in the construction of the ships and can not be remedied by treaty.

Mr. President, if the capital fleets of the three nations did not exist, and they were to be supplied by new construction, I would prefer a fleet constructed on the naval ideas and judgment of the experts of the United States rather than those of Great Britain or Japan. I am satisfied that we have parity with Great Britain and a ratio of 10 to 6 with Japan.

Mr. President, let us compare the expense and the time of obtaining parity under the London treaty and the Washington treaty. If Great Britain, the United States, and Japan should exercise their privilege of replacement under the Washington treaty, and the United States undertook the construction of 10 ships, Great Britain 10 ships, and Japan 5 ships by 1936, and continued thereafter to lay down the ships scheduled in the treaty, they could obtain the ratios agreed to in the Washington treaty, it is estimated, by 1942. If the privilege should be so exercised and the United States should commence the construction of these capital ships, it would mean an expenditure of \$400,000,000 for the United States, \$400,000,000 for Great Britain should they do likewise, and \$200,000,000 for Japan upon the completion of these ships. The London treaty provides that no capital ships shall be constructed prior to the 31st of December, 1936. This provision saves each Great Britain and the United States \$400,000,000 in capital-ship construction and Japan \$200,000,000. This treaty gives parity immediately between the United States and Great Britain and a ratio of 10 to 6 with Japan instead of delaying it for several years after 1936, and in addition saves each nation this vast expenditure of money. This is the most admirable and commendable part of the treaty and equally beneficial to all three of the nations concerned.

But, Mr. President, there are some who contend that it would be better for us to reject this treaty and use our right of replacement under the Washington treaty and build the 10 battleships permitted and not modernize our remaining ships as intended under this treaty. It is claimed that this would be cheaper and better. Let us examine this proposition. We have already modernized 10 of our battleships at an aggregate cost of \$47,110,000. There are eight more to be modernized at an estimated cost of \$70,000,000. The aggregate cost of modernization of our capital ships will be about \$117,000,000. As we scrap three ships under the treaty we will lose the \$9,100,000 that the modernization of them cost us. As we will retain under the treaty the other seven of these modernized ships, we will save the \$38,000,000 we have expended in them and all further expense we will incur on our battle fleet under this treaty will be \$70,000,000. Replacement of the 10 battleships would cost \$330,000,000 more than this amount, and in addition we would lose the \$38,000,000 expended in the ships modernized, making a financial difference of \$368,000,000 in the plan of this treaty over the replacement program of the Washington treaty. But it is contended we would have a much better capital-ship fleet. This is true, but if Great Britain replaced 10 ships with 10 new ones and Japan 5 ships with 5 new ones, the navies of these two nations would be equally better, the same ratios of strength would be preserved between the navies, neither nation would be the gainer by the replacement program, but each would be the loser in greatly increased expenditures.

Thus, Mr. President, I am strongly persuaded that there is nothing in the provision of the pending treaty that does not

amply protect the interests of the United States in capital ships, the most important part of our Navy.

Mr. President, we will next discuss the treaty in connection with its aircraft provision and determine whether these are such as will justify our approval of the treaty. Airplanes each year are becoming more potential as instruments of war, both on land and sea. No invention of modern times has grown faster or developed more effectively than aircraft. Imagination is powerless to portray its future growth and its complete development. Its use is indispensable to a fleet and no fleet can afford to be deficient in airplanes without great peril. Many believe in time it will supersede battleships as an instrument of naval warfare. This day is far off, and its use now is largely confined as aids to the service vessels for controlling the surface of the sea with all the commercial and military benefits accruing therefrom.

Airplanes with their bombs have great destructive power, not only against merchant ships, cruisers, destroyers, and submarines, but even battleships themselves. Airplanes are indispensable for scouting purposes and screening purposes and must accompany the fleet when it projects toward the enemy's territory or fleet in order to give information and security to it. Let us examine the provision of the pending treaty on aircraft.

Under the Washington treaty the allotted tonnage of aircraft carriers was 135,000 tons each for the United States and Great Britain and 81,000 tons for Japan, which is in the ratio of 10-10-6. These tonnages and these ratios are continued without modification under the London treaty. However, the Washington treaty defined an aircraft carrier as a vessel of war with a displacement in excess of 10,000 tons, designed for the exclusive purpose of carrying, and fitted to launch and land, aircraft. Under this definition aircraft carriers of less than 10,000 tons displacement were unlimited. The present treaty limits all aircraft carriers, and if carriers of less than 10,000 tons displacement are built, they must be included in the tonnage allotment before stated.

The Washington treaty permitted the mounting of 8-inch guns on aircraft carriers as they were then defined, but provided that if such guns were mounted the number should not exceed 8 on carriers from 27,000 to 33,000 tons and 10 on carriers from 10,000 to 27,000 tons. The London treaty in imposing limitation on aircraft carriers of less than 10,000 tons displacement provided that such carriers can not mount guns in excess of 6.1-inch caliber, but imposed no limit on the number of such guns which may be mounted; it made no change in the Washington treaty regarding the armament of aircraft carriers over 10,000 tons displacement. Hence aircraft carriers over 10,000 tons displacement may mount eight to ten 8-inch guns, the number depending on whether they are over or under 27,000 tons, and aircraft carriers less than 10,000 tons can not mount guns over 6.1 inches.

The Washington treaty made no mention of the fitting of landing-on and flying-off platforms on battleships, cruisers, and destroyers, and there has been some doubt as to whether or not the fitting of such platforms would be a violation of the spirit of that agreement. The London treaty permits the fitting of such platforms on capital ships, cruisers, and destroyers with the proviso that landing platforms shall not be fitted on existing capital ships and not over 25 per cent of the cruiser tonnage will be so fitted.

The above are the important provisions of the Washington treaty. The ratios and tonnage allotments given in that treaty are unaltered. The provisions of this treaty are neither especially beneficial nor prejudicial either to the United States, Great Britain, or Japan. It does not prohibit the building of larger aircraft carriers for fleet purposes and allows each nation to build such smaller aircraft carriers as it may desire. The placing of flying-off and flying-on decks on ships other than aircraft carriers will permit a further and more extended development of their potential use as instruments of war. To the extent that the United States leads the world in the commercial and naval use of aircraft and in production capacity of airplanes these provisions are beneficial to the United States.

Mr. President, I wish to discuss next the cruiser provisions of the pending treaty. These provisions of the treaty have caused a great deal of controversy and encountered vigorous opposition alike in the United States, Great Britain, and Japan. The extreme big navy opponents of the treaty in each nation have directed their main attack upon the cruiser arrangements. Hence it is necessary to discuss them fully and in detail.

The Washington treaty contained no limitation on cruisers except that they should not exceed 10,000 tons nor carry guns of larger caliber than 8 inches. The number of cruisers that could be built by any nation was unlimited provided the restric-

tions as to tonnage and guns were adhered to. At the time of the Washington conference it was found to be impossible to secure an agreement of the various nations for cruiser limitation on account of the unwillingness of France to limit the use and the construction of cruisers. It was believed by the American people generally that Great Britain and Japan were willing to agree, except for France's refusal, to a ratio in cruiser strength of 10 for the United States, 10 for Great Britain, and 6 for Japan. At the time of the Washington conference the ratio was 10 for the United States, 13 for Great Britain. While Great Britain had a superiority over the United States in cruisers, this was offset by the great superiority of the United States in destroyers and submarines. This put the two nations on substantially an equality in the aggregate of these three classes of auxiliary ships. The great defect of the Washington conference was the failure to provide for the limitation of cruisers, destroyers, and submarines and other auxiliary craft.

Immediately after the Washington conference Great Britain and Japan commenced building cruisers. This the United States neglected to do. Competition ceased in capital ships and aircraft carriers, but this was transferred to cruisers and other auxiliary craft. This competition in cruisers and other auxiliary craft continued, and on December 31, 1929, the relative strength of the United States, Great Britain, and Japan in cruisers was—the United States had built two 8-inch-gun cruisers with tonnage of 20,000; Great Britain had built 15 cruisers, 4 with guns of a caliber of 7.5 inches and 11 with a caliber of 8 inches, with tonnage of 149,426; and Japan had built eight 8-inch-gun cruisers with tonnage of 68,400. The ratio of 8-inch-gun cruisers actually built was, the United States 10, Great Britain 74.7, and Japan 34.2. Thus in 8-inch-gun cruisers actually built Great Britain had more than seven times as many as the United States and Japan more than three times as many as the United States. At that time the United States was building eleven 8-inch-gun cruisers, with a tonnage of 110,000; Great Britain was building four, with a tonnage of 36,800; and Japan was building four, with a tonnage of 40,000. The ratio of 8-inch-gun cruisers built and building at that time was, United States 10, Great Britain 14.3, and Japan 8.3. Prior to the London conference neither of the three nations was building any additional 6-inch-gun cruisers. The United States had built 10, with a tonnage of 70,500; Great Britain had built 39, with a tonnage of 177,691; and Japan had built 21, with a tonnage of 98,415. The ratio in 6-inch-gun cruisers was, United States 10, Great Britain 25.2, and Japan 13.9. The ratio of all cruisers built and building on December 31, 1929, was, the United States 10, Great Britain 18.1, and Japan 10.3. Thus when the London conference met Great Britain was in excess of parity with the United States 8.1 and Japan was 4.3 in excess of the ratio of 10 to 6 which had been fixed for capital ships.

The London conference was confronted with the problem how to establish in cruiser strength the ratio of 10 for the United States, 10 for Great Britain, and 6 for Japan. This was a very difficult problem to solve, the difficulty being accentuated by the fact that at the conference Great Britain, Japan, and France desired to divide the cruisers into two classes—6-inch and 8-inch gun cruisers. This difficulty had appeared at previous conferences and was the primary cause of the failure of the Geneva conference of 1927. The Washington conference provided that in time of peace no preparations for converting merchant vessels to war vessels should be made other than stiffening of decks for mounting guns not above 6-inch caliber. The Washington treaty also provided that cruisers not in excess of 10,000 tons each should not carry guns of larger caliber than 8 inches. This provision was included in the treaty in order to enable Great Britain to continue as a part of her fleet four cruisers that had been constructed and which carried guns of a caliber of 7½ inches. Besides, since Great Britain has a very large merchant marine that can be converted into auxiliary cruisers with 6-inch guns, her policy has been to have the treaty limitation of cruisers to provide for as large a number of 6-inch-gun cruisers as could be obtained and as small a number of 8-inch guns as possible. This would add materially to the naval strength of Great Britain in case of hostilities, as she could at once add to her cruiser strength by conversion of merchant-marine ships. As the United States has a smaller merchant marine compared with that of Great Britain, she has insisted on having 8-inch-gun cruisers, which would be superior to converted merchant-marine ships with 6-inch guns. As we have a larger merchant marine than Japan and can convert more ships than she can for naval uses, it would be to our advantage that Japan have as few 8-inch-gun cruisers as possible. Thus, as to whether cruisers with 8-inch guns or cruisers with 6-inch guns are preferable for us in a treaty is very largely dependent as to which nation we are building against—whether Great Britain or Japan. The problem in dealing with the two

countries is very different. The pending treaty is presented as a solution of this difficulty. It definitely fixes the maximum limit in cruisers of all classes for the United States, Great Britain, and Japan. I shall discuss the treaty arrangements upon this matter at some length, as it is the main issue involved.

In the pending treaty the United States is authorized to have eighteen 8-inch-gun cruisers, with a tonnage of 180,000; Great Britain 15, with a tonnage of 146,800; and Japan 12, with a tonnage of 108,000. The United States had two 8-inch-gun cruisers completed; Great Britain had 15, including the *Hawkins* class, and Japan had 8. The United States had building 11, Great Britain 4, and Japan 4. Therefore, if this treaty is ratified, the United States can build 5 additional 8-inch-gun cruisers, Great Britain will have to scrap 4 of the *Hawkins* class, and Japan will only complete those now under construction. The ratio of 8-inch-gun cruisers will then be—the United States 10, Great Britain 8.1, and Japan 6. Great Britain will have 1.9 less than parity with the United States. There can certainly be no complaint as to this. One of the objections urged to the treaty in connection with 8-inch-gun cruisers is that the United States is prevented from completing the construction of its sixteenth cruiser until January, 1936, the seventeenth until January, 1937, and the eighteenth until January, 1938. I regret this provision was ever agreed to, as it gives the opponents of the treaty an opportunity to say the United States will not obtain parity during the existence of the treaty. In addition, I have the idea that this delay in the time set for the completion of these cruisers was based upon the thought that when the next conference was called the United States would forego its insistence of a ratio of 10 to 6 in 8-inch-gun cruisers with Japan. It was believed that Japan's position would be stronger to get the ratio of 10 to 7 in this class of ships when the next conference assembles if the United States had not completed construction of these two cruisers.

I do not think this is of sufficient importance to be given serious consideration. There is not the slightest possibility of hostilities between the United States, Great Britain, and Japan prior to the time these cruisers can be completed. These countries are obligated by treaty to respect each other's interests and insular territories in the Pacific and to maintain the open-door policy in China. This obligation continues until two years after notice is given of the annulment of the treaty. No notice has yet been given, and I do not think any will be given for many years to come. The treaty contains this provision:

They shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present treaty, it being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to.

This reservation is mutual and belongs alike to all nations signing the treaty. Japan at the next conference may contend for a ratio of 10 to 7 in 8-inch-gun cruisers and that she is not precluded from doing so by this treaty. It also reserves the right for the United States at the next conference to insist upon a ratio of 10 to 6 in submarines and destroyers and 6-inch-gun cruisers. I do not think this reservation is of any value or that it is of any injury to any nation.

Thus, Mr. President, it seems to me we are fully justified in accepting the treaty with the ratio established in 8-inch-gun cruisers and that we can do so without fear or apprehension.

I will next discuss the provisions of the treaty as to 6-inch-gun cruisers. The pending treaty authorizes the United States to have 143,000 tons; Great Britain, 192,000 tons; and Japan, 100,400 tons. There is no limitation as to the time in which these cruisers can be constructed; all can be constructed prior to the expiration of the treaty. The United States has built ten 6-inch-gun cruisers, with a tonnage of 70,000, leaving to be constructed 73,000 tons. Great Britain has built 39, with a tonnage of 177,685, leaving to be constructed 2,035 tons. The ratio established in 6-inch-gun cruisers is: United States, 10; Great Britain, 13.4; and Japan, 7. The United States under the treaty has the privilege of building three less of 8-inch-gun cruisers and having cruiser strength equal to that of Great Britain in 6-inch-gun cruisers. Japan by this arrangement gets 14,350 tons in excess of what she would have obtained if her ratio had been fixed at 6 instead of 7. She can have 2 additional cruisers with a tonnage aggregating 14,000 tons or 1 of 10,000 tons and 1 much smaller. It is to be noted that the ratio of 10 to 6 is retained absolutely as to 8-inch-gun cruisers. The ratio of 10 to 7 does not apply to this class of cruisers. If 6-inch-gun cruisers are not more effective than is claimed by the opponents of this treaty, then Japan has received a very small concession indeed. I do not think the concession made to Japan in 6-inch-gun cruisers is of sufficient importance to justify serious consideration, considering the size of the two navies.

It should be noted that Great Britain has 48,700 more tons in 6-inch-gun cruisers than the United States, and the United States has 33,200 tons more than Great Britain in 8-inch-gun cruisers. One of the questions in dispute is, Does our excess of tonnage of 33,200 in 8-inch-gun cruisers equal Great Britain's excess of 48,700 in 6-inch cruisers? However, the United States can exercise the option of not building 30,000 tons in 8-inch-gun cruisers, and in lieu thereof can build 45,500 tons in 6-inch-gun cruisers, thus establishing, if we desire, absolute parity with Great Britain in the cruiser fleets. Most of the naval experts who have discussed this question prefer that the United States should have an excess in 8-inch-gun cruisers rather than parity in 6-inch-gun cruisers. It is their belief that the cruiser fleet of the United States, with a larger number of 8-inch-gun cruisers, would be superior to the British fleet with less 8-inch-gun cruisers. If the 8-inch gun is decisive, the United States fleet under the allocation made in the treaty would be superior to the British fleet, as we would have three more of these cruisers. If the 8-inch-gun cruiser is superior for convoy purposes and to protect commerce, then the United States fleet will be superior also for these purposes.

While negotiations were pending between the United States and Great Britain, the General Board of the Navy was presented with the various propositions submitted and was requested to make a recommendation as to how parity could be obtained in the cruiser fleet composed of 8-inch and 6-inch gun cruisers. The General Board, in response to the request, stated that substantial parity could be obtained, and the board, without changing its position as to preference for 8-inch-gun cruisers, was willing to accept as representing parity in the cruiser category twenty-one 8-inch-gun cruisers, with a tonnage of 210,000 tons, and ten 6-inch-gun cruisers, already built, with a tonnage of 70,500 tons, and five new 6-inch-gun cruisers, with a tonnage of 35,000 tons. This would give the United States 210,000 tons in 8-inch-gun cruisers and 105,000 tons in 6-inch-gun cruisers, a total of 315,000 tons. It is stated that twenty-one 8-inch-gun cruisers was the minimum that it would accept in this class of cruisers.

The board stated its preference for 8-inch-gun cruisers, but was willing to make the above statement for the purpose of aiding in obtaining an agreement. Under the treaty the United States is given eighteen 8-inch-gun cruisers, with a tonnage of 180,000, instead of twenty-one with a tonnage of 210,000, as recommended by the board. To offset this reduction of 30,000 in 8-inch-gun cruisers, the United States gets 38,500 tons in 6-inch-gun cruisers. The question presented is: Was parity lost when 30,000 tons of 8-inch-gun cruisers, as recommended by the General Board were exchanged for 38,500 tons of 6-inch-gun cruisers, as provided in the treaty, each type having the same limitation upon size, and hence radius of action? Upon this question there is an honest difference of opinion among naval officers. Some contend that the increase of 38,500 tons in 6-inch-gun cruisers is to be preferred to the 30,000 tons in 8-inch-gun cruisers, others taking the opposite view. I believe the differences in military value of these two units is very small—so small that whatever it may be, it is not sufficient to justify the rejection of the treaty.

There is much difference of opinion among naval officers as to the relative merits of the 6 and 8 inch gun. Heretofore 6-inch guns were put on smaller vessels than were 8-inch guns, and hence had a smaller radius of action. As the United States possessed no naval bases in other countries, the larger vessel with greater radius of action was preferred. However, under the London treaty, 6-inch guns can be mounted on the same size vessel as 8-inch guns. The only limitation in size of each is that the vessel shall not exceed 10,000 tons in standard displacement. Thus the argument so frequently and vigorously presented as to the superiority of the 8-inch-gun cruiser over the 6-inch-gun cruiser on account of a greater radius of action of the 8-inch gun does not exist under the London treaty. Each can have the same size and radius of action. Being of the same size, the superiority of these two classes of cruisers is dependent upon the relative merits of the 6 and 8 inch guns. Upon this there is a great difference of opinion among naval experts, but a substantial majority favor the 8-inch gun.

I shall not detain the Senate by quoting the conflicting views of equally able and expert naval officers. The conclusion I have reached, after most thoughtful consideration, is that the best interests of the American Navy require cruisers of each class. The best opinion seems to be that the 6-inch-gun cruiser is better for operation with the fleet; that it has a decided advantage over the 8-inch-gun cruiser in protecting the fleet from destroyers and aircraft and submarines. The 6-inch-gun cruiser will shoot 10 miles and the 8-inch-gun cruiser 14 miles. The 6-inch gun shoots a projectile of about 100 pounds and the 8-inch gun shoots one of about 250 pounds. Successful shooting

at a distance of over 8 to 10 miles is almost entirely dependent upon the weather conditions and visibility. With poor visibility the 6-inch gun is the better. With good weather conditions and clear visibility the 8-inch gun is the better, but, of course, no one can foretell what weather conditions will be. Most naval engagements have been at a distance of less than 10 miles, the general disposition being for the fleet to close in. In the Battle of Jutland, Germany, with smaller guns and better protected ships, destroyed more British ships than Great Britain destroyed of hers. The 6-inch gun being loaded by hand shoots more than twice as fast as the 8-inch gun. In close conflict the 6-inch gun, with greater rapidity of firing, is more effective than the 8-inch gun. The advantage of the 8-inch gun is that when it makes a hit there is greater penetration and more destruction, but in the case of penetration both do the maximum possible damage. The 6-inch gun ceases to be effective over 10 miles, while the 8-inch gun is effective up to 14 miles.

The 6-inch gun, 10,000-ton cruiser can carry 12 guns while the 8-inch-gun cruiser carries but 9. Considering rapidity of firing, the 6-inch-gun cruiser can deliver in the same time about an equal weight of projectiles as the 8-inch-gun cruiser. Many thoughtful officers of the Navy believe that a preference will finally be reached for the 6-inch-gun cruiser over the 8-inch-gun cruiser, especially since an entirely new type of 6-inch-gun cruiser can be constructed under the London treaty. Great Britain seems to prefer the 6-inch-gun cruiser over the 8-inch-gun cruiser. Great Britain is compelled to have more of the small units because of her scattered possessions, and hence has been very insistent upon being allowed a large number of 6-inch-gun cruisers. The London treaty gives to Great Britain a superiority of 48,700 tons in 6-inch-gun cruisers, and to the United States a superiority of 33,200 tons in 8-inch-gun cruisers. It seems to me that this is as reasonable as can be obtained between the United States and Great Britain regarding their cruiser fleets. It is a compromise in which neither receives all it desired or loses all it contended for. It would be folly to wreck this treaty on the difference in the military value between twenty-seven 8-inch guns and thirty-six 6-inch guns. The difference is so small that considering the great size of the two navies it sinks into insignificance and should not be given serious consideration. This cruiser controversy over Great Britain's allotment involves less than 3 per cent of the entire naval tonnage and with Japan less than 2 per cent of our tonnage.

There has been some criticism of the London treaty on account of the replacement provisions, which are claimed to be beneficial to Great Britain and detrimental to the United States. It is also claimed that under the replacement provisions Japan is a beneficiary. The treaty provides that a surface vessel of over 3,000 tons and not exceeding 10,000 tons standard displacement laid down January 1, 1920, shall be considered as overage in 16 years and may be replaced. If laid down after December 31, 1919, it shall be considered as overage after 20 years and may be replaced.

This provision unquestionably gives to Great Britain, and to a limited extent to Japan, opportunities for earlier replacement. The treaty provides that the replacement of Great Britain shall not exceed 91,000 tons in cruisers by December 31, 1936. The treaty permits Japan to replace the *Tama* in 1936, which would not become overage until 1937. There is also a provision as to the replacement of tonnage of cruisers permitting those that become overage in 1937 and 1938 to be laid down earlier. Great Britain and Japan insisted on this replacement in cruiser categories due to the fact that the United States would have nearly all of its cruisers newly constructed and of more modern type than theirs unless replacement was permitted. In addition, it was stated unless these nations could have some replacement advanced, as provided for in the treaty, their navy yards would have nothing to do, and Great Britain and Japan would be practically standing still while the United States was constructing a new cruiser fleet. The treaty provides for some work being done for replacement prior to December 31, 1936, the date of the termination of the treaty, to be completed afterwards. Great Britain and Japan, on December 31, 1936, would have new construction for replacement under way, which would not be completed, and also have the vessels that this replacement would be substituted for. It is contended that would give a great advantage to those two nations. I can not see how this contention can be successfully sustained. Under the treaty it is specifically provided that work done prior to 1936 shall be done for replacement of vessels authorized under the treaty. Replacement means that when the work is completed on a replacement vessel it shall take the place of the units desired to be replaced. There is an honorable promise and understanding that when

the work is completed on a vessel for replacement this vessel shall at once be put in commission and the one it replaces immediately scrapped or destroyed. Unless this is the clear and positive intention of Great Britain and Japan no replacement work can be done during the operation of the treaty. I have the utmost confidence that if this treaty shall be ratified Great Britain and Japan will honorably and fully discharge their obligation assumed when they undertook replacements under the treaty.

The next question to be considered in connection with the replacement provisions of the treaty is whether or not the cruiser fleet of the United States will be as new and modern as those of Great Britain and Japan when authorized tonnage has been attained. The United States is now building eleven 8-inch-gun cruisers, with a tonnage of 110,000, and will build during the life of the treaty three more 8-inch-gun cruisers, making fourteen 8-inch-gun cruisers with a tonnage of 140,000. Great Britain is building four 8-inch-gun cruisers with a tonnage of 36,800 and will build none additional during the life of the treaty. Japan is now building four 8-inch-gun cruisers and will build no more during the life of the treaty. Therefore, during the life of the treaty, there will be built in 8-inch-gun cruisers by the United States 140,000 tons; by Great Britain 36,800 tons; and by Japan 40,000 tons. In 6-inch-gun cruisers there will be built during the life of the treaty by the United States 73,000; by Great Britain 91,000; and by Japan 35,655 tons. The cruisers that may be laid down under the treaty prior to December 31, 1936, for completion thereafter, are as follows:

United States in 8-inch-gun cruisers 20,000 tons, in 6-inch-gun cruisers 14,100 tons; Great Britain in 8-inch-gun cruisers none, in 6-inch-gun cruisers 86,070; Japan in 8-inch-gun cruisers none, in 6-inch-gun cruisers 18,190.

Thus in new construction under the provisions of the treaty authorizing new construction for replacement, the United States will have 247,000 tons, Great Britain 213,870 tons, and Japan 93,845 tons. Therefore, the United States will have in new construction 33,000 tons in excess of Great Britain and 154,000 in excess of Japan. It is evident that when the cruiser fleets authorized under the treaty are completed, including replacement, that of the United States will be more modern and up to date.

I believe this treaty establishes substantial parity between the fleets of the United States and Great Britain as nearly as it can be accomplished by treaty agreement. I also believe that while this treaty gives to Japan an increase of four-tenths in the aggregate of cruiser tonnage over the ratio of 10 to 6, this is more than offset by the superiority of our cruiser fleet in later construction and more modern improvements.

Mr. President, there are some who, while admitting that the treaty establishes substantial parity between the cruiser fleets of the United States and Great Britain, yet insist that owing to Great Britain's much larger merchant marine which can be converted into auxiliaries, her fleet is superior to ours, and that her naval bases scattered over the world also gives her a decided advantage. I believe it is impossible to take into consideration such matters when endeavoring to fix the relative strength of navies. The only thing to consider is the combatant power of the navies. If other factors are to be considered it makes it impossible to reach an agreement. Great Britain has no intention of surrendering to us any part of her merchant marine nor any of her naval bases. The advantage derived from these two sources can only be overcome by a superior fleet, to which Great Britain will never consent.

If the merchant marine of Great Britain is to be considered in fixing the relative strength of the Navies of the United States and Great Britain, our superiority in merchant marine over Japan must also be considered, and the same principles must be applied to all. I can not understand those who would apply one principle in dealing with Great Britain, and in the same treaty would apply different principles when dealing with Japan. The only way to overcome Great Britain's advantage derived from a superior merchant marine is to build one equal to hers. We are now rapidly increasing our merchant marine, and I hope ere long this advantage possessed by Great Britain will disappear.

Mr. President, there is a provision in this treaty that can aid the United States in overcoming the handicap of Great Britain's superiority in merchant marine. Under chapter 8 of the treaty each nation party to the treaty can construct without limit vessels not exceeding 2,000 tons standard displacement if they do not mount guns larger than 6 inches, with no more than four guns above 3 inches, and speed not to exceed 20 knots. Some naval officers have testified that such vessels would be very efficient against merchant marine, and in addition would be more effective as war vessels than converted auxiliary cruisers. It has been testified that such vessels would be superior to auxil-

iary cruisers except those exceeding 20 knots in speed. Under this provision of the treaty the United States has opportunity to build an unlimited number of these vessels to offset any advantage Great Britain may have on account of her superior merchant marine. Such vessels would be especially effective on the western Atlantic and the eastern Pacific, as we have bases there to accommodate them. Great Britain has only 17 merchant ships with a speed exceeding 20 knots, and Japan only 2. Thus it seems to me that the treaty with this provision gives opportunity in a very substantial way for the United States to overcome Great Britain's superiority in merchant marine.

Mr. President, I shall next discuss the provisions of the treaty controlling and allotting destroyers.

The maximum displacement for destroyers fixed by the treaty is 1,850 tons, and not more than 16 per cent of the allotted total tonnage can be employed in vessels over 1,500 tons. Such as have been completed or were under construction as of April 1, 1930, in excess of this percentage may be retained. The maximum caliber of guns on destroyers is fixed at 5.1. For the purpose of replacement a destroyer is over age when it has attained the age of 12 years as laid down prior to January 1, 1921, and over age at 16 years as laid down after the 31st of December, 1920.

The destroyer situation as of April 1, 1930, considering no destroyer over 16 years of age, is as follows:

The United States had 284 destroyers of a total tonnage of 290,304, including 61 destroyers: 63,991 tons listed for disposal, and had none building. Great Britain had 150 destroyers of a tonnage of 157,585 tons, and was building 20 destroyers with a tonnage of 26,786. Thus, Great Britain had built and building 170 destroyers of a total tonnage of 184,374 tons. Japan had as of that date 102 destroyers of a total tonnage of 107,275 tons built, and was building 13 destroyers of a tonnage of 22,100 tons; and her total tonnage built and building was 115 destroyers, of a total tonnage of 129,375 tons. Included in those building the United States and Great Britain have none over 1,500 tons. Japan has 11 destroyers of a tonnage of 1,700 tons each. Of those building Great Britain has one of 1,520 tons and Japan has 13 of 1,700 tons. Japan will have, upon the completion of the building program in 1932, 24 of these vessels with a tonnage of 40,800 tons. It should also be noted that under the treaty each nation is permitted to transfer 10 per cent of its tonnage from the cruiser subcategory of 6-inch guns to total destroyer tonnage. This privilege, if exercised, would give 15,000 tons for the United States and Great Britain and 10,545 tons for Japan. The treaty provides that the excess tonnage would be gradually disposed of in the period ending July 31, 1936.

Under the treaty the authorized strength of the United States in destroyers is 150,000 tons, and the authorized strength of Great Britain 150,000 tons, and the authorized strength of Japan 105,450 tons. The ratio established under the treaty for destroyers is 10 for the United States, 10 for Great Britain, and 7 for Japan. This will give the United States in excess of authorized tonnage of destroyers 140,304 tons, Great Britain 34,371, and Japan 23,925.

It should be noted that the United States has a great excess of destroyers which must be scrapped over both Great Britain and Japan. The United States built nearly its entire tonnage of destroyers during the war, and did so in great haste in order to meet the submarine menace. They were very poorly constructed, and contained much material that would have been rejected as unsuitable if these vessels had been constructed in peace times. Haste controlled the construction of these destroyers on account of the urgency to meet the dangers of submarines, and not efficiency and suitability. The larger number of these destroyers have a very wasteful and unreliable type of turbine, which was accepted because the company that could produce the greatest number of destroyers used this type. The batteries of our destroyers are weak, and the cruising radius small and very inadequate. No destroyer has been laid down by the United States for 10 years. Thus, it can be properly stated that our fleet of destroyers is not of great value, and does not constitute much of a naval asset. All of our destroyers will be over age by January 31, 1934, and can be replaced. Under the treaty, if we desire to do so, we can lay down the keels of 150,000 tons of destroyers by January 31, 1932. Both Great Britain and Japan have been steadily building destroyers since the conclusion of the war. Thus, whether we had a treaty or not, we would be compelled to commence at once a replacement of our destroyer fleet if we were to retain any semblance of naval strength and efficiency in this class of ships.

Of the tonnage of destroyers now built which must be retained until after 1936 the United States has none, Great Britain has 4 vessels of a total tonnage of 5,485 tons, and

Japan has 45 vessels of a total tonnage of 57,855 tons. The treaty authorized laying down tonnage in 1935 and 1936 for replacements of those becoming over age in 1937 and 1938. Japan would have the privilege of laying down 8 destroyers in 1936 of 8,095 tons, for destroyers which would be over age in 1938. In lieu of laying down this 8,095 tons in 1936, Japan is authorized to lay down 5,200 tons of destroyers in 1935 and 1936 to replace a part of her destroyers that become over age in 1938 and 1939. This is a minor increase of 2,035 tons, and an advancement of one year in laying-down date of part of the total.

Thus, when the provisions of the treaty are fully complied with, and each nation has its authorized tonnage in destroyers, and has exercised its privileges of replacement, the situation would be that the United States will have 150,000 tons of new destroyers, Great Britain will have 150,000 tons of practically new destroyers, and Japan will have 105,450 tons, of which practically two-thirds will be of new construction. Japan obtains on account of the ratio being for her 10 to 7 instead of 10 to 6 an increased tonnage of 15,450 tons in the destroyer category. This advantage to her is offset to some extent by the fact that when our destroyer fleet is completed we will have more new, up-to-date, and modern destroyers than she will have in her fleet. The extent of this advantage it is difficult accurately to measure.

But, Mr. President, an increase of 15,450 tons in destroyer strength to Japan is a very minor matter. In emergencies, destroyers can easily be built in from 6 to 12 months. During the World War we constructed an immense fleet of destroyers at this rate of speed. If any hostilities should ever arise between the United States and Japan, and destroyers were needed, the United States could darken the seas quickly with destroyers, as she did in the last war. The resources of this country are such that destroyers could be built almost without limit. It is not wise or economical to build in times of peace a large number of naval craft that can be rapidly and efficiently built during the war. There are yearly improvements in the construction of destroyers; and to build all of these at once would deprive us of the advantages that accrue from new inventions and improvements.

All that our fleet needs, except in time of war, is 150,000 tons of destroyers; and I do not think it would be wise to even build these as rapidly as it can be accomplished under the treaty. I think it would be wise, as destroyers can be readily constructed when needed, to extend our destroyer replacement and construction over a period of 10 years, building 15,000 tons each year.

Thus, Mr. President, I have no apprehension of any trouble that may arise to us at this time or in the future on account of the small increase of tonnage accorded Japan in destroyers. If a conflict should arise between the United States and Japan, within less than a year the United States by new construction, would establish in destroyers an overwhelming superiority over Japan.

Mr. President, there is nothing in the destroyer provision that would justify the rejection of this treaty. It establishes absolute parity in destroyers with Great Britain, and the small increase given to Japan is such that under no circumstances can it be a menace to us.

Mr. President, I shall next discuss the treaty as it pertains to submarines, and I shall do this fully, because the opponents of the treaty have insisted that in submarines Japan has been given greater advantages, much to the detriment of the United States.

Under the treaty the tonnage of submarines is limited to 2,000 tons and the caliber of guns not to be above 5.1 inches, except that each nation may retain or acquire three submarines not exceeding 2,800 tons, with guns not above 6 inches, and that each nation may retain the submarines in her possession on the 1st of April, 1930, that are not in excess of 2,000 tons and are now armed with guns above 5.1 inches. The age of a submarine is fixed at 13 years, after which they can be replaced.

The submarine situation of April 1, 1930, is as follows:

The United States had built 122 submarines, of a total tonnage of 30,700 tons, and was building three submarines of a total tonnage of 7,010 tons, making a total of 125 submarines of a total tonnage of 37,710. The United States had on the disposal list of submarines a tonnage of 22,000 tons, making the remaining total for the United States 59,710 tons. Great Britain as of that date had built 60 submarines of a total tonnage of 50,154 and was building 10 submarines of a tonnage of 14,750 tons, making the total for Great Britain 70 submarines of a tonnage of 64,904 tons. On that date Great Britain had on the disposal list of submarines a tonnage of 4,620 tons, making the remaining total tonnage of submarines on that date 69,284 tons. Japan on that date had built 66,068 tons of submarines and was building seven submarines of a total tonnage of 11,477 tons, making her total

tonnage as of that date 77,545 tons. Japan had no submarines on the disposal list.

Thus the submarine situation, built and building, on the 1st of April, 1930, was in the following ratio: 10 for the United States, 9.2 for Great Britain, and 11.8 for Japan. Thus, on that date Great Britain had eight-tenths less than the United States and Japan had 1.8 over the United States. The total tonnage authorized under the treaty is 52,700 tons for the United States, 52,700 tons for Great Britain, and 52,700 tons for Japan, making the ratio for submarines 10 for the United States, 10 for Great Britain, and 10 for Japan. Thus, on that date the United States had in excess of submarine tonnage a total of 12,920 tons, Great Britain an excess tonnage of 7,854 tons, and Japan an excess tonnage of 25,142 tons.

Under the replacement clause of the treaty the United States will have the privilege of completing the submarines now building and the V-8 and V-9 now appropriated for, and in addition can build 25,100 tons of submarines for replacing submarine tonnage that becomes over age to the 31st of December, 1936, which will be a total tonnage of 35,210 tons. Great Britain can complete those now building and authorized and build an additional 15,651 tons for replacement, a total tonnage of 33,441 tons, and Japan a total tonnage of 23,774 tons. In addition the United States may have laid down for completion after 1936, 14,830 tons to Great Britain's 6,395 tons and Japan's 7,200 tons. Thus when each nation has completed its authorized tonnage under the treaty, the United States will have in newly constructed submarines a greater tonnage than either Great Britain or Japan.

There has been much objection raised to the treaty on account of the establishment of parity in submarines between the United States and Japan. Of the 52,700 tons of submarines assigned to the United States, about 15,000 tons will be of newer construction than the 52,700 tons assigned to Japan. This gives some advantage to the United States.

Mr. President, much objection has been directed against the treaty on account of its giving parity between the United States and Japan upon submarine tonnage. Each nation under the treaty will have the same authorized tonnage in submarines. When the London conference met, the ratio in submarines as provided between Japan and the United States was 10 for the United States and 11.8 for Japan. Japan had an excess of submarines already built of about 8,300 tons over the United States, excluding vessels which were then on the disposal list and had an excess of about 3,700 tons in the amount building.

Mr. President, there has always been great difficulty in reaching any agreement both as to the use and tonnage of submarines. Great Britain and the United States have been favorable to the abolition of submarines. These two nations, with their large merchant marine and vast foreign commerce scattered all over the world, have been desirous of protecting themselves from the menace of submarines. Each of these nations has felt that it was to its advantage to do this, since each possessed a large fleet which could give it territorial security, and was sufficient to protect its commerce.

Submarines are not suitable to accompany a fleet as part of its organization. It is impossible to communicate with them in order to obtain concert of action. Some officers have favored the construction of fleet submarines to accompany the fleet, but the experience with such submarines has not been satisfactory, and no beneficial results have been obtained. The slowness of the submarine, and the inability to communicate with it, have made it unsuited for fleet operation. Destroyers and cruisers have been found far more beneficial to accompany a fleet, and can accomplish what is desired by the submarines far better.

Submarines were very effectively used by Germany during the World War against the merchant marine of Great Britain, and accomplished wonderful results.

The pending treaty, following the Washington treaty, puts the same restrictions upon submarines in attacking merchant vessels as are imposed upon surface vessels. No submarine is permitted to attack a merchant vessel unless the safety of all those aboard has been fully provided for. These restrictions have destroyed to a very large extent the usefulness of submarines. In addition, new listening devices have been discovered which easily locate submarines, when they can be promptly destroyed by destroyers or other vessels with depth bombs.

Submarines are almost useless in the large expanse of the sea, on account of the great difficulty in locating vessels which are the subject of their attack. In channels and restricted areas of the sea submarines can be very effectively used. They are very valuable for defensive purposes. All submarines possessed by us would be used for defensive purposes in Panama and the Philippine Islands and on the coast of America. The provisions of the treaty give us a fleet which makes America immune from

attack, and submarines possessed by us would not be of much value except in the Philippine Islands.

France has always been desirous of having submarines, as she believed they could be effectively used in the English Channel and the Mediterranean Sea for defensive purposes. Japan has always been very desirous of a large submarine fleet, as she realizes that the submarines could be very effective in defending the narrow seas and channels that surround her. The United States and Great Britain have ever sought to have incorporated in any treaty for the limitation of armaments as small a tonnage of submarines as possible. Japan has ever insisted on a large tonnage of submarines for defensive purposes, as previously stated.

At the London conference Japan had built and was building about 78,000 tons of submarines, which she was very desirous of retaining. As stated, she had about 12,000 tons in excess of that possessed by the United States. I understand that Japan was very insistent in retaining this tonnage in submarines, and was willing, if this privilege was granted her, that the United States and Great Britain could establish such ratios for submarines as they might desire. To provide the ratio with Japan of 10 to 6 or 10 to 7, it would have necessitated a great increase of submarine tonnage, both for the United States and Great Britain, neither of which nations desired to have this increase. The United States, to retain this ratio, would have been compelled to build about 65,000 tonnage of new submarines, with the immense expense required, which I do not believe any responsible naval officer would have recommended.

After much discussion and delay Japan finally consented to reduce her 78,000 tons of submarines she had built and building to 52,700 tons, provided parity was accorded her in this category. She sacrificed 25,142 tons in order to obtain this, and was very reluctant to do so. The question was presented to the United States and Great Britain whether they preferred parity with Japan, which would necessitate the reducing of her tonnage of submarines to 52,700 tons each, or whether Japan be permitted to retain her existing tonnage and the United States and Great Britain build up their submarine tonnage to a ratio desired in excess of this.

After careful consideration, and looking to the interests of the United States, our delegates decided that it was better for us to have a reduction in submarine tonnage than it would be to let Japan retain her existing tonnage, and for us then to build a great many new submarines for which we had no use. I believe this was a wise decision on the part of the United States, and can result in no detriment to our Navy or best interests. Out of our submarine tonnage we would be able to have about all that is needed for the Philippine Islands. I believe it was more important to the vast commerce of the United States to have a reduction in submarines than to build a large number of submarines which could only be used for defensive purposes at ports and would be of little value except in the Philippine Islands.

Thus, Mr. President, I can see no reason why the treaty should be rejected on account of the submarine provisions. I think the American delegates acted wisely in reducing submarines instead of letting Japan retain what she had and our building a large number in order to establish a ratio of 10 to 6 or 10 to 7.

Thus, Mr. President, it seems to me the provisions of the treaty upon capital ships, upon cruisers, upon destroyers, upon submarines and smaller auxiliaries are of such character as to justify the United States in ratifying the treaty. The amount of tonnage involved in the controversy is so small when compared with the very large fleets in which it is included that they are not of such vital importance as to justify the rejection of this treaty. There was a provision in the treaty regarding replacements which left a very vital matter in doubt. The treaty as drawn left in doubt whether in replacing 6-inch-gun cruisers they could not be replaced with 8-inch-gun cruisers. If Great Britain and Japan in the replacement privileges given them under this treaty could have replaced 6-inch-gun cruisers with 8-inch-gun cruisers, the result would have been very prejudicial to the United States. It would have given these nations a great superiority in 8-inch-gun cruisers which would have been a menace to the American Navy. All the American delegates to the conference stated that it was clearly understood that 6-inch-gun cruisers must be replaced with 6-inch-gun cruisers, and it was so understood by all the delegates of the nations at the conference. I suggested that this was a vital matter and that with the doubt involved in the language of the treaty it should be made clear by an exchange of notes between the nations involved. This was done, and both Japan and Great Britain have made it clear that the treaty must be interpreted so that 6-inch-gun cruisers must be replaced by 6-inch-gun cruisers. This ambiguity was clearly and distinctly settled by these notes, which, to my mind, was a more satisfactory way to cover it than it would have been by a reservation or an amendment

to the treaty. This eliminated the most vital matter to be cleared up in the treaty.

Mr. President, it is claimed by the opponents of the treaty that while the treaty established limitation in the tonnage on capital ships, cruisers, aircraft carriers, destroyers, submarines, and smaller auxiliaries, yet the good accomplished by this has been eliminated by the provisions in article 21 of the treaty. This article is as follows:

If, during the term of the present treaty, the requirements of the national security of any high contracting party in respect of vessels of war limited by Part III of the present treaty are, in the opinion of that party, materially affected by new construction of any power other than those who have joined in Part III of this treaty, that high contracting party will notify the other parties to Part III as to the increase required to be made in its own tonnage within one or more of the categories of such vessels of war, specifying particularly the proposed increases and the reasons therefor, and shall be entitled to make such increase. Thereupon the other parties to Part III of this treaty shall be entitled to make a proportionate increase in the category or categories specified; and the said other parties shall promptly advise with each other through diplomatic channels as to the situation thus presented.

This article was inserted upon the insistence of Great Britain because France and Italy refused to enter into any treaty regarding a limitation of naval armament upon cruisers, destroyers, or submarines. France and Italy insisted upon a tonnage in these categories of ships so large that Great Britain felt that her interests, territorial and commercial, would be jeopardized if she conceded to the demands of these two nations. In addition, France and Italy were unable to reach any agreement between themselves as to the ratios to be established between these nations upon cruisers, submarines, and destroyers. It being found impossible to obtain the assent of France and Italy to the treaty, Great Britain insisted upon this provision in order to protect herself in any future menace that might arise on account of increased naval construction by either or both of these nations. It was done as a safety clause for Great Britain. I regret that it was necessary to include this provision. It might possibly have been better to have delayed the treaty for a short time in order to induce France and Italy to compose their differences and thus obtain a treaty for the limitation of naval armament concurred in by the five great naval powers.

If there had been any possibility of accomplishing it, the results obtained would have been sufficiently important to have justified the delay. I felt that when the treaty was signed by the United States, Great Britain, and Japan the pressure upon France and Italy to reach an agreement would be greatly lessened, and there would be a long delay before we would have a treaty of naval limitation by the five great naval powers. A fair treaty by the five great naval powers limiting naval armament would be one of the world's greatest achievements, and be most promotive of peace and good will. The American delegates to the conference, who were far better acquainted with the situation than any of us, thought it wise to conclude the treaty for the limitation of naval armaments between the United States, Great Britain, and Japan without waiting longer for an accord with France and Italy. I am not prepared to challenge the wisdom of this decision. The question presented to us is, Shall this treaty be rejected on account of the insertion of this provision? Let us thoroughly examine article 21 and see what its practical effect will be in order to aid us in reaching a just decision.

It means that if either the United States, Great Britain, or Japan reaches a conclusion that any nation other than these three commence new construction of cruisers, destroyers, or submarines which materially affect their national security, then that nation upon notice to the other two can make the increases required to meet the condition thus created. Then the other two nations are permitted to build vessels of the same category that the nation giving the notice decides to build. The right to do this accrues to each nation, and the limitation contained in the article applies to all three nations alike. It should be noted that a nation must state before this privilege can be exercised that its national security requires the construction of the new vessels, and must also specify particularly the proposed increases and the reasons therefor. National honor requires that this right can only be exercised upon the conditions specified in the article. I do not believe this privilege will ever be abused or rarely if ever exercised. I believe a nation would be very loath to state that it needed new craft in order to meet the menace of another nation. To specify that a nation is building a fleet against some specific nation would be so unfriendly and so unusual that I do not believe that it will ever be done. It certainly would not occur unless there was a very serious situa-

tion. The giving of this notice and the construction of the new war vessels would probably produce a rupture between the two nations involved, and would engender great ill will and suspicion. I do not believe that there will be any new construction of vessels under this article during the existence of the pending treaty.

Thus, Mr. President, while it is deplored that this article was included in the treaty, and while it must be conceded that it prevents a complete limitation of armaments between the three nations involved, yet to my mind it is not of sufficient serious import to justify the rejection of the treaty. Its only effect to my mind is that it makes less complete the limitation of armament agreed upon by the three nations involved.

Mr. President, I shall not detain the Senate by replying to objections that have been raised to the treaty on some very minor matters which do not seriously affect it and its value. The treaty presents advantages which fully justify its ratification. It indicates good will between the three nations that enter the compact. It is of great advantage to the peace, progress, and prosperity of the world for the three great naval powers to enter upon an agreement of this character. It bespeaks confidence in each other and shows that neither of the three nations have in thought or design conflict with the other. It destroys competition in naval armaments with all of its engendering suspicions, ill will, and fear. It makes each nation feel that its territory and its commerce will be free from interference by the other. It evinces confidence on the part of Great Britain and Japan in the integrity, honor, and peaceful designs of the United States when they consent practically to stop building cruisers in order for the United States to reach parity with Great Britain and an agreed ratio with Japan. It results in a saving of large sums of money in the replacement of battleships and in the building of destroyers and submarines. It gives to the United States immediate parity in battleships and enables her by 1938 to obtain parity with Great Britain in cruisers and establishes by that time a fair ratio with Japan.

If this treaty should be rejected, and competition should start in destroyers, cruisers, and submarines, not only would the United States have to expend money to meet the present tonnage of Great Britain and Japan in these categories, but she would have to build in addition to this tonnage, the tonnage these nations would build in the meantime. Thus it would practically double the expenditures the United States would have to incur in order to get parity with Great Britain and the proposed ratio with Japan. If this treaty should be rejected by the United States, Great Britain, and Japan would immediately conclude that the United States had embarked on a career of imperialism and had determined to be supreme upon the seas and to control the destinies of nations like Great Britain and Japan, who are absolutely dependent upon the sea. It would create in these two nations such irritation and suspicion that they would at once tax all their resources in order to meet all new construction in naval craft that we should undertake. If Japan should reject this treaty, an impression of suspicion would be created in this country that she has a sinister design of some kind against us, and we would commence at once preparing to meet the menace. If Great Britain should reject this treaty, we would at once conclude that she is determined not to give us parity and to continue mistress of the seas, and make her will operative upon all the waters of the world in the future as she has in the past. The irritation and suspicion that would be engendered in this country would induce us to commence at once the construction of a navy superior to that of Great Britain, and no one knows where the competition thus engendered would end.

The best interests of the United States and Great Britain alike are served by parity in naval strength. With naval equality existing, neither can afford to be arrogant in its demands or be reckless in conduct toward the other. Neither can afford to be exacting in its own demands or neglectful of the rights of the other. No reckless, ambitious Government in either country would dare to jeopardize the future of the country by making arrogant demands or reckless venture in diplomacy or war.

I believe this treaty gives substantial parity between the United States and Great Britain and will be promotive of peace and good will between these countries and will be most instrumental in the promotion of the peace of the world. The small percentages of guns and tonnage should disappear in the accomplishment of this high and commendable purpose. When American and British naval parity is accomplished, as it is substantially in this treaty, it will be a splendid day for world betterment.

Mr. President, objection has been raised to this treaty on the ground that on account of the small increases given Japan we have jeopardized the safety of the Philippine Islands. Not since the time we acquired the Philippine Islands have we been

able to hold them against Japan. We have never had a naval base in the Philippine Islands from which our fleet could operate in the western Pacific. The base is as large and commodious now as it has ever been. Under the terms of the Washington treaty we reserve the right to keep the base in the same condition it was at that time. Although we had held the Philippine Islands for more than 20 years prior to the Washington treaty, we had made no arrangements for the operation of a fleet there. There are no supply bases, no docks, and no repair shops that could take care of a fleet. We refused for more than 20 years to do this because we had expected ultimately to relinquish to the people of the Philippine Islands the liberty and independence that we had so frequently promised them. Why this scare about Japan taking the Philippine Islands? Has she ever shown any inclination to do so? At the Washington conference in 1922 we entered into a solemn pact with Japan, Great Britain, and France that each would respect the insular possessions of the other in the Pacific. Thus Japan is under solemn promise to us, to Great Britain, and France that she will respect and never interfere with our possession of the Philippine Islands. This treaty is in force to-day and will continue in force until one of the four nations gives two years' notice of its annulment. There is no suggestion that this notice will ever be given, and I believe this treaty will continue in force indefinitely.

Mr. President, I have noticed that Japan faithfully fulfills her treaty obligations. She fulfilled her obligation to Great Britain in the World War. Under the Versailles treaty all the possessions that she captured from Germany were transferred to her and the title given to her. Japan gave a personal assurance to President Wilson that if this transfer was made to her that she would transfer her title to China. There were many who believed she would not fulfill this promise, and some opposed the Versailles treaty because this transfer was made to Japan and not to China. Japan has complied with this promise and all the possessions that she had acquired under the Versailles treaty in conquest from Germany have been transferred completely to China. This evinces beyond question the faithfulness with which she discharges international obligations. There are some who are invariably inveighing against Japan and pointing out dangers which will accrue to us on account of her ambitions and purposes in China. At the Washington conference in 1922, Japan entered into a treaty with Great Britain, the United States, and seven other powers, in which she pledged herself to respect the policy of the open door, of the equality of opportunity in China for the trade and industry of all nations, and that she would not seek for herself or aid any other nation in obtaining any special favors, superiority of rights, or any monopoly or preference over other nations. She committed herself unreservedly to equal opportunity of all nations in China. Thus under that treaty Japan pledges herself to aid us in maintaining the open door and the equal opportunity for all in China.

Thus, Mr. President, it seems to me that there does not exist between the United States and Japan any cause which may precipitate a rupture or hostilities between the two countries. Certainly there is nothing that Japan possesses that the United States desires to take from her. We wish her well, and that she may continue her career of progress and prosperity.

Mr. President, Japan can not afford to have any differences, commercial or political, with the United States. The best interests of both are accomplished by peace. Of her \$915,000,000 of exports, \$383,000,000 are sold in the United States. Thus more than one-third of her exports are purchased in this country. The imports into Japan from the United States amount to \$290,000,000. The total foreign trade of Japan amounts to \$1,934,000,000, of which \$673,000,000 is with the United States. Thus far more than one-third of her foreign commerce is with us. It would be very disastrous for her commercially to lose this and it is very beneficial to us to continue our large commerce with Japan. The peace and friendship of the two nations are thus cemented by commerce and self-interest in addition to the solemn treaties previously mentioned into which they have entered.

Mr. President, I think this treaty gives Japan substantial safety in her home waters against either the United States or Great Britain. She could not afford to enter into a treaty for limitation of armament unless the treaty assured her home safety and security. It would be the extreme of folly for any nation to do so and it is useless to try to obtain a treaty for limitation of armament that does not accord a nation safety at home. This treaty, I think, gives safety to Great Britain. Certainly it does in her home territory and in India, Asia, and Africa. If she did not think she secured this, no power in the world could make her enter into a treaty for limiting naval armament. The American fleet could not operate in the Euro-

pean waters nor in the western Pacific against the British fleet under any circumstances.

Mr. President, while I think Japan is safe in her home possessions and Great Britain is safe in her European, Asiatic, and African possessions, this treaty makes the United States more secure than either of these two nations. Japan, having no bases except in her home territory and the surrounding insular possessions, could not operate in any part of the eastern Pacific or western Atlantic. If she sought to do so, the ratio of her fleet would be less than one for her and five for us. She would be powerless except in the western Pacific. Great Britain could not operate against us anywhere in the eastern Pacific nor in the western Atlantic unless it be in the extreme southern part of the western Atlantic. She has no base in either North or South America from which her fleet could operate except at Esquimaux, Canada, where she has a dry dock capable of taking the largest ships, and which is a base from which a fleet might operate, but which now is in a care and maintenance status. I understand that this base has been turned over to the Canadian Navy. In case of hostilities with Great Britain, and Canada did not declare her neutrality, this base could be easily captured by the United States. Great Britain has three naval stations or anchorages in the western Atlantic—Halifax, Bermuda, and Kingston. It is common knowledge that nothing has been done on these stations to increase their facilities for a number of years.

Bermuda can not be used by capital ships on account of the depth of the water at the entrance to the harbor. There is no dry dock capable of taking the larger capital ships at any of these stations. Port Stanley at the Falkland Islands is simply an anchorage with no naval repair or docking facilities.

Great Britain has at Simonstown, Cape of Good Hope, a station with a naval commander and chief. There is at this place a naval dockyard with several dry docks and slips. None of these will take a capital ship, and it is doubtful whether they would take a 10,000-ton cruiser.

Thus, Mr. President, Great Britain has no bases in either North or South America from which she could operate a fleet. From Simonstown she might be able to operate some cruisers which could interfere with the commerce of the United States in the southern part of Brazil and in the Argentine. However, such excursions would be sporadic and could be easily disposed of from our naval base at Panama.

Thus, Mr. President, it is evident from this treaty that the United States obtains absolute naval supremacy in the entire Western Hemisphere. The United States is absolutely protected from any apprehension whatsoever from the fleets of any other nation and her safety is assured beyond peradventure. She would control the seas of the Western Hemisphere except some excursions and commercial raids that might come from the naval base in South Africa.

The American Navy under this treaty becomes sufficiently strong to enforce the entire Monroe doctrine in all parts of the Western Hemisphere. The United States Navy under this treaty is made supreme in the waters of the eastern Pacific and the western Atlantic. With our bases at Panama, the British fleet operating in the western Atlantic would be less than a ratio of 3 for Great Britain and 5 for the United States.

The naval supremacy of the United States is firmly established in the Western Hemisphere by this treaty. It seems to me to be wise to accept this great advantage and not to risk the naval strength of America to the uncertainties that must exist in a policy of competitive building.

The opponents of this treaty have claimed that it involves new construction to an amount of about \$1,000,000,000 on the part of the United States. This statement is entirely true. This new construction would, of course, be spread over a number of years. This new construction is due to the fact that for the past 10 years we have lagged far behind Great Britain and Japan in new construction. This treaty in reality provides for a slowing up in construction on the part of these two countries while the United States catches up.

This may seem a large sum but it is just about one-half of what this country will actually have to spend in providing a navy which maintains the desired ratio if the present treaty is not approved.

If this treaty is defeated, we must begin to replace our capital ships at once. The total cost of replacing the 15 ships of the battleship fleet will be about \$600,000,000. To build the tonnage in which we are short at present in carriers, cruisers, destroyers, and submarines with relation to other powers will require about nine hundred million. Also there must be provided additional funds for construction to meet the building of other powers which we may, of course, expect them to continue in case there is no treaty. This amount is, of course, indefinite, but will probably amount to at least \$500,000,000 over a period of probably 10

years. Hence it is perfectly reasonable to assume that new construction will cost this Nation \$1,000,000,000 more without a treaty than it will if the London treaty is ratified.

Approval of this treaty will also mean that when we have finished the construction provided for we will have for the first time in our naval history a balanced fleet. I assume, of course, that if this treaty is approved the Congress will authorize a building program giving us the tonnage for which it provides.

The benefits of an even building program extending over a number of years are very great. The Navy is able to embody lessons learned in the new construction as it progresses. The benefit of an even flow of work at both the navy yards and the commercial shipyards is of great benefit to labor in insuring continuous work. This latter is a feature which must be given great consideration in the future.

Mr. President, from a military and selfish standpoint, the United States can not afford to reject this treaty. From a higher and nobler purpose the treaty should have our approval. It is promotive of peace, conducive of good will among the nations involved, and I hope marks the beginning of a more complete treaty for the limitation of naval armaments. For the United States to reject this treaty would be for her to abandon her moral leadership in the world and declaring at the same time that she is an imperialistic nation seeking conquest and expansion. It would create in the rest of the world an apprehension that we had sinister purposes to serve when we rejected the treaty, and would create a mistrust among all the nations of the world, and would result finally in political combinations against us to our detriment and menace. This situation would injure our foreign commerce and retard our material development.

Mr. President, whether controlled by selfish, material interests or the broader and nobler purpose of promoting world peace and betterment, the best interests of the United States demand the ratification of this treaty.

Mr. HALE. Mr. President, I would like to ask the Senator from Virginia a question.

The PRESIDING OFFICER (Mr. CARAWAY in the chair). Does the Senator from Virginia yield to the Senator from Maine?

Mr. SWANSON. Certainly.

Mr. HALE. The Senator has spoken about the tonnage in capital ships that we had immediately after the Washington conference and the tonnage that Great Britain had, and has endeavored to show that we did not have parity with Great Britain at that time because she had a larger tonnage than we had. Of course, the Senator knows that the question of tonnage was not everything that was used in the make-up of the two fleets. I think the Senator knows that we were supposed—

Mr. SWANSON. Is the Senator asking me a question or making a speech? I yielded for a question, but I will yield the floor if the Senator wishes to make a speech.

Mr. HALE. I was going to ask the Senator a question.

Mr. SWANSON. I shall be glad to answer it.

Mr. HALE. If the Senator will allow me to follow out the idea, I should like to know whether he is not familiar with the fact that tonnage alone was not the basis on which the American capital fleet and the British capital fleet were made up at the time of the Washington conference?

Mr. SWANSON. Does the Senator want an answer?

Mr. HALE. Does not the Senator also—

Mr. SWANSON. Let me answer one question at a time. If the Senator wants to make a speech, he may do so in his own time.

Mr. HALE. Very well.

Mr. SWANSON. As I understand, at the time of the Washington conference, a certain ratio was established, which I have mentioned in my speech. Replacements of capital ships were then to commence; and it was contemplated that by 1942 capital ships would all be replaced; that Great Britain would have 15 capital ships of 525,000 tons; that the United States would have a tonnage in capital ships of 525,000 tons; and Japan a ratio of 6 to 10 in that category. Complete parity could not be obtained until all the capital ships were completely replaced. I have set forth in my remarks what the parity was at the time in tonnage of capital ships.

Mr. HALE. Mr. President, there was no attempt at the time to obtain parity?

Mr. SWANSON. I stated plainly that it was expected parity would be obtained in 1942.

Mr. HALE. Then, Mr. President, the Senator then implies that with 10 battleships of the most powerful type building, and 6 battle cruisers which were beyond any battle cruisers that had ever been conceived of in this country or in the world, and with

those ships in a considerable stage of completion, the battleships, I think, being about 43 per cent completed and the battle cruisers about 16 per cent—with that immense fleet in an advanced stage of completion, the Senator says that we scrapped those ships in order to get parity with Great Britain 20 years after the time the Washington treaty was negotiated.

Mr. SWANSON. I will say that President Harding and Mr. Hughes and the Senator's party were overreached ignominiously at the Washington conference. They made promises to the American people which were never fulfilled. The then Republican President and Senate caused \$175,000,000 worth of ships to be destroyed, while Great Britain destroyed about \$2,000,000 and Japan \$38,000,000 in order to get parity by 1942. That is what Mr. Harding did. The Senator was associated with him so intimately in Florida, I wish he had impressed upon him the jeopardy and wrong of such a policy.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Virginia permit me to ask the Senator from Maine a question in his time?

Mr. HALE. I should like to ask the Senator from Virginia a further question, if I may, but I will forego it if the Senator from Arkansas desires to interrupt.

Mr. ROBINSON of Arkansas. Does the Senator from Maine imply by the question he has just asked the Senator from Virginia that the arrangement under the Washington treaty with respect to capital ships gave equality to the United States with Great Britain in that category; and, if so, at what time was that parity or that equality realized or to be realized?

Mr. HALE. Mr. President, I did not say that it gave us parity; but I do emphatically say that it was intended to give us parity.

Mr. ROBINSON of Arkansas. At what time?

Mr. HALE. At that immediate time; and, in proof of that, Mr. President, I will read what Secretary Hughes said.

Mr. SWANSON. Mr. President, does the Senator wish to ask me any more questions?

Mr. HALE. I should like to have this matter cleared up, and I should like to get the Senator's view of it.

Mr. SWANSON. If the Senator from Maine desires to ask me a question, I will be glad to answer; but if he desires to make a speech, he can make it in his own time.

Mr. HALE. I should like first to clear this matter up. I will have plenty of time, before we get through, to ask all the questions I want to ask.

The PRESIDING OFFICER. In order that the Chair may understand the situation, is the Senator from Maine asking for the floor in his own right?

Mr. HALE. If the Senator from Virginia will yield, I should like to answer the Senator from Arkansas.

Mr. ROBINSON of Arkansas. The Senator from Virginia has concluded his address. The Senator from Maine can take the floor and say "any old thing" he wants to say.

The PRESIDING OFFICER. The Chair is trying to ascertain if the Senator from Maine desires the floor?

Mr. SWANSON. If the Senator wants to ask me any more questions, I will be glad to answer; but if he wants to make a speech, I yield the floor to him for that purpose.

Mr. HALE. If the Senator from Virginia desires not to continue on the floor, I will ask him some questions at another time.

At the fourth meeting of the Washington conference, on December 22, 1921, the chairman of the conference, the American Secretary of State, Mr. Hughes, stated:

The following are the points of agreement that have been reached in the course of the negotiations between the United States of America, Great Britain, and Japan with respect to their capital fighting ships.

An agreement has been reached between the three powers—the United States of America, the British Empire, and Japan—on the subject of naval ratio. The proposal of the American Government that the ratio should be 5-5-3 is accepted. It is agreed that with respect to fortifications and naval bases in the Pacific region, including Hong Kong, the status quo shall be maintained—that is, that there shall be no increase in these fortifications and naval bases except that this restriction shall not apply to the Hawaiian Islands, Australia, New Zealand, and the islands composing Japan proper, or, of course, to the coasts of the United States and Canada, as to which the respective powers retain their entire freedom.

The Japanese Government has found special difficulty with respect to the *Mutsu*, as that is their newest ship. In order to retain the *Mutsu*, Japan has proposed to scrap the *Settsu*, one of her older ships, which, under the American proposal, was to have been retained.

The American proposal had stated a specific number of ships that we were to keep.

This would leave the number of Japan's capital ships the same; that is, 10, as under the American proposal. The retention of the *Mutsu* by Japan in place of the *Settsu* makes a difference in net tonnage of 13,000

tons, making the total tonnage of Japan's capital ships 313,300 tons, as against 299,700 tons under the original American proposal.

While the difference in tonnage is small, there would be considerable difference in efficiency, as the retention of the *Mutsu* would give Japan two post-Jutland ships of the latest design.

And now comes the crux of the statement, Mr. President:

In order to meet this situation and to preserve the relative strength on the basis of the agreed ratio—

That is, the 5-5-3 ratio—

It is agreed that the United States shall complete two of the ships in course of construction, that is, the *Colorado* and the *Washington*, which are now about 90 per cent completed, and scrap two of the older ships, that is, the *North Dakota* and the *Delaware*, which, under the original proposal, were to be retained. This would leave the United States with the same number of capital ships, that is, 18, as under the original proposal, with a tonnage of 523,850 tons, as against 500,650 tons as originally proposed. Three of the ships would be post-Jutland ships of the *Maryland* type.

Then, at a later period in the same statement, in speaking of the English ships, he says:

This would give the British as against the United States an excess tonnage of 56,200 tons, which is deemed to be fair, in view of the age of the ships of the *Royal Sovereign* and the *Queen Elizabeth* types.

In other words, Mr. President, our delegates put forward a suggestion for ships on our part which was to match the suggestion for ships on the part of Great Britain and which was to give us parity as they supposed at that time. That that parity was not achieved I am willing to admit. I think we were outraded at the conference. I think especially the right that the British secured to build two ships of the *Rodney* type turned out later to be much more of an advantage than was supposed at the time. However, undoubtedly we did expect to get parity with Great Britain and a ratio of 5-3 with Japan at that time in the ships that were retained. So when it is said that the parity was not to be reached until 1942, that is not, Mr. President, in accordance with the record, and not in accordance with what happened at the Washington conference.

Mr. REED. Mr. President, will the Senator permit a question?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Pennsylvania?

Mr. HALE. I yield.

Mr. REED. I gather the Senator thinks that immediate parity was not attained in battleships by the Washington treaty?

Mr. HALE. I think probably, Mr. President, immediate parity was practically attained by the Washington treaty, because at that time Great Britain had not built the *Rodney* and the *Nelson*. I think probably with the ships that the British retained, which the *Rodney* and the *Nelson* were later to replace, that immediate parity was achieved. In any event, however, it was a parity that was accepted by our naval authorities as such, and I have the statement of Admiral Pratt to that effect.

Mr. REED. With the completion of the ships of the *Colorado* type in our Navy and the two *Rodney's* in the British Navy, does the Senator feel that there was not parity?

Mr. HALE. I do, because I think the *Rodney* and *Nelson* were far superior to the two ships which we completed, the *Colorado* and the *West Virginia*.

Mr. REED. And the Senator agrees, then, that until 1942 complete parity would not be attained under the Washington treaty?

Mr. HALE. I do not think we would have complete parity under the Washington treaty. I think the way to have gotten complete parity would have been for us to have built some additional ships, and, as I recall it, the Senator favored that idea at one time.

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Tennessee?

Mr. HALE. Yes.

Mr. McKELLAR. As long as Great Britain has the *Hood*, the *Nelson*, and the *Rodney*, and we retain our same ships, there will never be parity, will there, as between the combatant ships of the two countries?

Mr. HALE. I would not put the *Hood* in the class with the two battleships.

Mr. McKELLAR. At any rate, the *Rodney* and the *Nelson* give Great Britain a tremendous advantage. Is not that true?

Mr. HALE. I think Great Britain has an advantage.

Mr. McKELLAR. For instance, suppose this conference instead of reducing the number to 15 had reduced it to 5, and Great Britain was allowed to keep the *Rodney* and the *Nelson*,

the British fleet would still have been superior to the American battleship fleet. Is not that true?

Mr. HALE. Undoubtedly, Mr. President.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Virginia?

Mr. HALE. If the Senator will let me finish this point, I will yield later. Undoubtedly, Mr. President, had we gone along with the replacement program of the Washington treaty by 1936 we would have had five of the *Rodney* type of ship, or possibly ships somewhat superior to the *Rodney*, and those five would have been balanced against the five new ones of the British Navy, with the *Rodney* and *Nelson* added, which, of course, would have given us a better ratio in that particular powerful type of ship than we get by the present arrangement.

Mr. REED. Mr. President, will the Senator permit another question?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Pennsylvania?

Mr. HALE. I yield.

Mr. REED. Can the Senator tell us in what respect he feels that the two vessels of the *Rodney* type are superior to the three vessels of the *Colorado* type?

Mr. HALE. Mr. President, the vessels of the *Rodney* type have very heavy deck armor.

Mr. REED. Does the Senator know how thick that armor is?

Mr. HALE. I think it is about 5½ inches, and I have even heard it asserted that it is more than that.

Mr. REED. Does the Senator know the aggregate of the three layers of deck armor on the *Colorado* type? If it is a military secret, I do not want the Senator to answer the question.

Mr. HALE. All these things are more or less military secrets.

Mr. REED. The Senator does not object to telling British military secrets.

Mr. HALE. Not at all; anything that we find out in a proper way I have no objection to giving out. Of course, the American ships referred to by the Senator from Pennsylvania have a very much less thickness of armor protection than have the British ships. It is possible that the thickness of the deck armor of the *Colorado*, *West Virginia*, and *Maryland* may be increased.

Mr. REED. What is the present thickness? They have three protective decks. I believe that is right, is it not?

Mr. HALE. The bulk of the armor is on the protective deck, which is about at the water line.

Mr. REED. Can the Senator tell us what the aggregate thickness of these three decks is?

Mr. HALE. My impression is that it is about 3 inches.

Mr. REED. In my own time, Mr. President, I will give the correct figures.

Mr. HALE. I am referring to the protective deck armor at the water line which is about 3 inches, I think.

Mr. REED. Is there any further element of superiority that they have besides this supposed superiority of deck armor?

Mr. HALE. With one more gun than our ships carry they have a considerable superiority in that respect.

Mr. REED. As we have three such ships mounting twenty-four 16-inch guns and they have two mounting 18, that is an element of superiority for us, is it not?

Mr. HALE. That is an element of superiority, but, as I have said, they have a considerable advantage over us on account of the deck armor, whereby within a certain range they can pierce the decks of our battleships while we can not pierce the decks of the two British ships.

Mr. REED. Is there any other element of superiority than the thickness of the deck armor?

Mr. HALE. There may or may not be.

Mr. REED. The Senator does not know of any others?

Mr. HALE. Those are the principal ones.

Mr. REED. And if the Senator were to learn that he was wrong about the thickness of the deck armor on the *Rodney*, and wrong about the thickness of the deck armor on our battleships, he might be ready to change his opinion?

Mr. HALE. I think the Senator has made some statements in his address over the radio to which I certainly do not agree. I should like to have the Senator's information verified before he gives it out.

Mr. McKELLAR, Mr. JOHNSON, and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Maine yield; and if so, to whom?

Mr. HALE. I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, it was stated a moment ago that we did not get parity in battleships under the 1922 treaty, and that is correct. I ask the Senator, do we get parity in

battleships under the 1930 treaty, the London pact, in his opinion?

Mr. HALE. No; I do not think it is quite parity. I think we will be better off than we are at the present time.

Mr. McKELLAR. That is because Great Britain now has 20 battleships to our 18?

Mr. HALE. Great Britain has 20 battleships to our 18 now.

Mr. McKELLAR. And those 20 are superior in gun range and in swiftness and in armor and in number; so very naturally we are at a very serious disadvantage.

Mr. GLASS. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Virginia?

Mr. HALE. I do.

Mr. GLASS. I desire to ask the Senator a question, perhaps not so pertinent as that it may be regarded as impertinent.

Mr. HALE. I am sure the Senator never would do that.

Mr. GLASS. That is, if the sum and substance of the statement made a while ago by the Senator was not that matters were badly botched by the greatest Secretary of State since Thomas Jefferson, and therefore that the London treaty was necessitated?

Mr. HALE. I do not think we got as much as we should have out of the Washington conference. That is not any new idea on my part. I have always held that opinion.

Mr. ROBINSON of Arkansas. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Arkansas?

Mr. HALE. I do.

Mr. ROBINSON of Arkansas. Does the Senator from Maine believe that the Washington conference arrangement actually and promptly gave the United States parity in capital ships?

Mr. HALE. I think at that time, before the *Rodney* and *Nelson* were built, it did. As I was trying to explain, Mr. President, our naval officers knew the British ships that were used in making up the British complement, and their naval officers knew ours; and the two sets of men got together and agreed on what would be substantially a parity. At that time it was thought that they had achieved parity. Let me read what Admiral Pratt said before the Naval Affairs Committee on that subject, on page 73 of the hearings.

I asked him:

Did you finally accept the figures that were agreed upon for the two fleets?

Admiral PRATT. I was one of the three men that did; yes.

The CHAIRMAN. You did accept them?

Admiral PRATT. Yes; oh, yes.

The CHAIRMAN. As parity?

Admiral PRATT. Yes.

The CHAIRMAN. Did all of the three accept them as parity?

Admiral PRATT. Yes. We accepted it in this way: We put forward as many proposals as we could for a higher rating; that is, instead of scrapping where we did we wanted to keep some newer ships; but I think really the delegates made the decision as a matter of fact, and we more or less acquiesced. It was, in a measure, taken out of our hands.

Mr. BORAH, Mr. JOHNSON, and other Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Idaho.

Mr. BORAH. Mr. President, I simply want to make a statement, and then I will yield.

I understand that the resolution is before the Senate.

The VICE PRESIDENT. The resolution is before the Senate.

Mr. BORAH. I desire to say that so far as passing a resolution calling for the papers is concerned I have no objection to it myself, and I do not believe that there is any objection, generally speaking, to such a resolution. I think the Senate is entitled to call for these papers, and I can see no reason why we should not ask for them; but the objection which has been raised to this resolution consists of the fact of leaving out the words "if not incompatible with the public interest."

I do not know myself that that is a matter of sufficiently serious import—

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. BORAH. I yield.

Mr. ROBINSON of Arkansas. Perhaps the Senator from Tennessee would be willing to incorporate that language in his resolution. It is the usual language employed in such resolutions.

Mr. McKELLAR. No, Mr. President; that is the usual language, as I understand, where information is sought for the purpose of general legislation, for instance; but it certainly is not the usual language in the demand of a right by the Senate of the United States.

Under the Constitution, the President and the Senate have equal rights in the treaty-making power. Naturally, they have a right to all the facts and information; and all the facts and information that one has the other is entitled to.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. McKELLAR. In just one moment. It was so intended, and in my judgment this is a vital matter; and I would not be willing to accept that language as an amendment to the resolution.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Arkansas?

Mr. BORAH. I do.

Mr. ROBINSON of Arkansas. Does the Senator from Tennessee think that if the President regards the submission of any information called for as incompatible with the public interest there is any method of coercing the President to take a different view and send it to the Senate?

Mr. McKELLAR. No; I think not; but I think if we are entitled to the facts on which this treaty was based, then we are entitled to them, and we should ask the President to furnish us those facts. If he refuses to do it, that is another matter; but we ought not to admit in the beginning that he should refuse to do it.

Mr. ROBINSON of Arkansas. May I ask the Senator what he proposes to do if the President does refuse on the ground that it is incompatible with the public interest?

Mr. McKELLAR. That is another thing.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. McKELLAR. Just one moment. If, on any ground, the President refuses to give the facts on which this treaty is based, then it seems to me it is the duty of the Senate to reject the treaty.

Surely the Senate is the equal of the President in the treaty-making power, under the Constitution. As a matter of fact, the President's name was added by our forefathers who made the Constitution. The first draft of this provision was that the Senate should be the treaty-making power, and afterwards the President's name was added to that provision. If one of the makers of this treaty declines to give the facts upon which it is based, it seems to me the other one is entitled to take whatever position it desires in the matter.

Mr. GLENN, Mr. JOHNSON, and others addressed the Chair.

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Illinois, or to whom?

Mr. BORAH. Let me complete my statement, and then I shall yield the floor.

I have looked up the precedents with reference to resolutions calling for information touching treaties. There is no difference in the form of the resolution, so far as I can learn. If there is any exception I have not been able to find it. The resolution which we passed calling for the papers in 1922, in connection with the naval conference treaty of that year, was addressed to the President in that language.

Mr. ROBINSON of Arkansas. In what language?

Mr. BORAH. The language "if not incompatible with the public interest."

Mr. ROBINSON of Arkansas. May I ask the Senator a question?

Mr. BORAH. I yield.

Mr. ROBINSON of Arkansas. Is that the general form that is used in the passage of resolutions?

Mr. BORAH. I have not been able to find any exception to the rule. I have found, where the heads of departments were addressed, cases where that has been left out; but where the President was addressed I have found no exception to the rule.

Mr. President, as I say, I think we ought to have the papers; that is to say, we ought to ask for them. It is doubtless within the power of the President to refuse them, but we ought to ask for them. I think this resolution should have the form that we usually adopt; but I do not mean to say that if it does not have that form I would oppose it.

Mr. GLASS. Mr. President, it is my confident expectation to vote for this treaty; but I do think the Senate is a part of the treaty-making power of this Government under the Constitution. In the event that these papers are sent down, I should like to inquire if it is contemplated to make them public; or are they to be discussed or considered in closed executive session? I make the inquiry because I would not vote for the resolution if they are to be made public.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. GLASS. I yield.

Mr. ROBINSON of Arkansas. The Senator understands that under our present rules all proceedings are in open executive session unless some Senator discloses a reason for proceeding in closed executive session.

May I say, in this connection, that my understanding of the law that governs this issue is that the negotiation of a treaty is an executive function. It is true that in this case the President employed, in part, individuals who also have legislative functions; but the act of negotiating a treaty is an executive function, and it is within the President's discretion to determine what features of the negotiations may be made public.

So far as I am concerned, I should be glad to have everything heaped in here and considered by the Senate. There is not an act that I performed, there is not a negotiation that I carried on that might not just as well be made public as kept secret; and I am not at all opposed to asking the President to send down to the Senate the documents that have been reserved. It is my suggestion, however, that we might conform to the ordinary form employed in such cases; but if Senators want to make an exception in this case and make a demand on the President, without regard to the rule relating to compatibility with the public interest, I am not going to object to it.

Mr. JOHNSON. Mr. President—

Mr. GLASS. I have nothing further to say, except that in the event the papers should be sent down here I shall propose that they be considered in executive session. I do not think everything that happens in the course of government should be given publicity, particularly if it is going to be hurtful to the public.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. JOHNSON. Mr. President, I have been seeking for a considerable period of time to get the floor to speak upon this resolution.

The VICE PRESIDENT. The Senator from Virginia has the floor.

Mr. GLASS. I do not want the floor.

Mr. NORRIS. I understood the Senator—

The VICE PRESIDENT. The Senator from California.

Mr. JOHNSON. Mr. President, it was my intention this afternoon to offer a few feeble remarks concerning the message of the President that was sent down here yesterday; but I deem, sir, of so much greater importance this resolution that I wish to devote myself to it, and to do it in such fashion that we may have upon the records of the Senate of the United States a precedent for all time hereafter.

I do not care whether there be inserted in the resolution one form of words or another. It is a matter of some indifference to me whether the papers, if sent down here, shall be considered in closed executive session or open executive session. The point is far beyond either the mere phraseology of the resolution or how subsequently the documents may be treated. If the resolution be adopted in its present form, it is easy enough for the Chief Executive of the Nation to say to the Senate that he believes it incompatible with the public interest to send down the particular papers; and all that will be accomplished by the insertion of such an amendment in the resolution he can accomplish by the same conventional or set words. The question, sir, is broader, and it is bigger; and in this particular aspect it presents something that is far beyond the mere matters with which we may have dealt in ordinary requests of the departments or in ordinary requests of the President of the United States in respect to documents.

Here, sir, is a treaty perhaps not very greatly opposed upon the floor of the Senate, but, thank God, sir, it is opposed by some men who believe that it is inimical to the best interests of the United States, and who are willing in the face of any kind of a press bludgeoning or any kind of a partisan lashing to stand here upon this floor and make their fight as they believe it ought to be made in behalf of their country.

So, sir, when they make this fight in the fashion in which they believe they ought to make it, they insist that as a part of the treaty-making power they should be accorded every scrap of information, every single particle of information, that goes into this treaty or that is a part of it in any way, shape, form, or manner.

Let us see just what has happened historically in this case. Deny the information if you care to. You who do not believe in the Senate's dignity any longer, or who believe that the Senate is a mere thing, to be trampled under foot by the Executive; deny it if you will, but here is what happened in this case, and what happened in this case makes so plain the right of the Senate to the documents in connection with the making of this particular treaty that no man on earth outside of the Senate of the United States, if he be a lawyer, can for one instant gainsay or deny it.

Follow me if you will, if there is sufficient interest upon this floor for maintaining the United States Senate in its pristine

purity and in all its proud glory; follow me if you will as to what happened in relation to the documents asked for by the pending resolution, and which were heretofore asked for before the Foreign Relations Committee.

It was on the 16th day of May, 1930, when Admiral Hilary Jones was under cross-examination before the Foreign Relations Committee that there was introduced into the record of the Foreign Relations Committee, and published in the press of the United States of America, what is supposed to be a document that is of so delicate and international character that the remainder of it can not be given to the United States Senate.

To understand this document introduced into the record then let me call it to your attention. I presume that upon this side there are not half a dozen men who have done us the honor to read the minority report of the Foreign Relations Committee on this treaty. I do not complain of that at all. I do not complain of the fact that every publicist to-day writing from the White House door is telling of the marvelous achievement which the President of the United States is about to accomplish by the ratification of this treaty, and how he insists that this treaty shall be instantly ratified because it has been presented by him as one of the great accomplishments in behalf of peace. I complain not at all of that. But here is the document which was introduced in evidence before the Foreign Relations Committee, printed in the record of the Foreign Relations Committee, and printed in the public press of the United States.

The document about which Admiral Jones was cross-examined by the distinguished Senator from Arkansas [Mr. ROBINSON] was then put into the record by him with my consent, I am glad to say, because I had never heard of it and had never seen it before, and was delighted that it should be put into the record, where we might be able to see it. Nevertheless it was put into the record by him. If any care to follow in the minority report it will be found quoted on page 21 thereof. I read:

SEPTEMBER 11, 1929.

From: Senior member present.

To: Secretary of the Navy.

Subject: Further proposals on naval disarmament.

References:

(a) Dispatch No. 242 of August 24, 1929, from American ambassador, London, to the Secretary of State.

(t) Dispatch No. 224 of August 28, 1929, from Secretary of State to American ambassador, London.

(u) Dispatch No. 225 of August 28, 1929, from Secretary of State to American ambassador, London.

(v) Dispatch No. 226 of August 28, 1929, from Secretary of State to American ambassador, London.

(w) Dispatch No. 252 of August 30, 1929, from American ambassador, London, to the Secretary of State.

(x) Dispatch No. 253 of August 30, 1929, from American ambassador, London, to the Secretary of State.

Then running down through various lettered characterizations or designations appear various other dispatches described in like fashion.

The report proceeds, discussing these dispatches, with an intimate discussion, in some respects, and in one particular quotes verbatim what is said by the Prime Minister of Great Britain in regard to the naval conference and in relation to one of the dispatches. The Prime Minister of England is quoted in paragraph 14 of the report as follows. I quote this here because it is not only a part of the public record of the Foreign Relations Committee, but it was published in the press after it was made a part of the record of the Foreign Relations Committee.

Talk to me about delicate international secrets which may be revealed subsequently by printing the rest of what may have transpired and what may be described in that document! The Prime Minister of England is quoted in that document thus:

14. In dispatch No. 254 of August 31, 1929, from the American ambassador, London, the Prime Minister says:

"I should like to explain a little more than has been done in the accompanying note what has been the result of our very thorough examination of the American proposal that for our fifteen 8-inch cruisers you should have 23. The ratio 5-5-3.5, which Japan asks for, would mean that in relation to the 23 Japan could build 16, which would be (proportionately?) a superiority over us. If you fixed your 8-inch cruisers at 20, the ratio would mean that Japan could build 14. I am perfectly certain that the Dominions would reject any agreement upon that basis. If on the other hand, you made it 18 for you, Japan would build 12.6, which would be 13. In order to get a settlement we might get Japan to accept 12, and to that we would agree. Even supposing we got Japan to be content with a cruiser ratio 5-5-3, on an American strength of 23, that would mean a Japanese building of 14; at least 2 more than there is any chance of our getting our Dominions to agree to. One very important result of an agreement which would • • •

Japan and ourselves to fix our actual units at 12 and 16 is that neither of our countries until replacement is necessary would have to build any more 8-inch cruisers."

There is the verbatim quotation from the Prime Minister of England. Again we find this report, thus put in evidence and thus published, saying:

1. In accordance with your verbal instructions, the General Board has given careful consideration to the matter in hand and submits the following:

2. The comments of the Prime Minister contained in dispatches Nos. 254, 255, and 256 from the American ambassador, London, dated August 31, 1929, constitute a clarification of his former letter, dated August 8, 1929, contained in dispatch No. 228 of August 9, 1929, from the American ambassador, London, and make the meaning of that document clear and radically different from the interpretation previously placed upon it by the General Board.

Thereafter in the report—and it was a very lengthy one, and only quotations are given from it—we find, paragraph 8:

8. The General Board, in commenting upon the Prime Minister's proposal embodied in dispatch No. 228 of August 9, 1929, from the American ambassador, London, was forced to make two assumptions for the purpose of proceeding with its analysis; namely, Assumption I, that 6 cruisers totaling 25,120 tons be scrapped and replaced by 7 cruisers with no increase in tonnage; and Assumption II, that 6 cruisers totaling 25,120 tons be scrapped and replaced by 7 cruisers aggregating 45,500 tons, an increase of 20,380 tons.

Again in paragraph 11 we find this:

11. Dispatches Nos. 242, 252, 254, 255, 256, 262, and 263 from the American ambassador, London, setting forth proposals of the Prime Minister, now before the General Board, show that neither Assumption I nor Assumption II is correct. The outstanding difference between the previous proposals made by the Prime Minister, as interpreted by the General Board, and that of the Prime Minister now before the General Board are as follows:

"(a) That the total tonnage proposed is neither 325,368 nor 345,746, as assumed; but that 359,000 standard tons is now proposed as the basis of cruiser strength upon which parity is to be achieved by December 31, 1936."

Paragraph 13 is as follows:

13. The Prime Minister has referred specifically to Japan and to the number of 8-inch-gun cruisers which may be built by that country. The American position recognizes the right of Japan, as well as the right of the British Empire, to decide for herself the composition of her cruiser category within the tonnage limitation and age limit agreed upon. The precedent to be established by the British Empire in scrapping cruisers under 20 years of age for replacement, if followed by Japan, will make immediately available for that country additional tonnage for the construction of new 8-inch-gun cruisers should she so desire.

Again in paragraph 22:

22. The General Board, subsequent to the preparation of its recommendations as above, having been informed by the State Department that the board's interpretation of the Prime Minister's references to the use of the yardstick as contained in dispatches Nos. 252, 254, and 255, from the American ambassador, London, viz, that the yardstick be not used, is not the interpretation placed upon those remarks by the State Department, and having been further informed that the yardstick should be used in connection with the estimates upon which parity of the tonnage in the cruiser category is to be achieved, finds it necessary to submit the following further comments:

Mr. President, after that document was placed in the record, and while this matter was pending before the Foreign Relations Committee, I undertook to write to the chairman of the Foreign Relations Committee asking that all of the documents referred to might be transmitted to that committee; and I wrote then thus:

SUNDAY, MAY 25, 1930.

Senator WILLIAM E. BORAH,

Chairman Senate Committee on Foreign Relations,

United States Senate, Washington, D. C.

DEAR SENATOR: I have assumed, of course, that the Foreign Relations Committee would desire the various documents leading up to the making of the London treaty, together with the proposals made to our country by the other parties to the treaty and the proposals submitted by us to them. Thus far, however, the only suggestion for the desired documents apparently has come from myself. In order that there may be no mistake in the matter, and that it may be understood that I am desirous of having for the record such papers and documents as may be appropriate, I specifically ask for them, and particularly for the following.

Then follows a description of the various papers that were in the particular document which had been made a matter of record and had been published. The letter proceeded:

All of these dispatches are referred to in the document placed in evidence before the Foreign Relations Committee May 16, 1930, by Senator ROBINSON of Arkansas.

(2) Original proposition or suggestion of Premier MacDonald as to the size and character of the navy Great Britain would desire in any conference which may be held.

(3) The first proposal, proposition, or suggestion made by the United States Government or its officials in respect to the size and character of the Navy desired by the United States in any conference.

(4) The first proposition submitted among the American delegates themselves prior to February 5, 1930, at London designating the size and character of the navy desired by the American representatives at the London conference.

Let me digress here, my brethren of the Senate, to say we are dealing with—what? We are dealing with a naval-limitation treaty, so called. We are dealing, sirs, with one of the provisions of the Constitution of our country by which devolves upon us the duty to provide for the national defense. We are dealing with that which is peculiarly and singularly within the jurisdiction of the Congress of the United States. Dealing with such a subject matter, sirs, dealing with that which it is within our province to do and which it is within our province alone to do, where the matter in the first instance has been negotiated by special commissioners or by plenipotentiaries, ought not we as Members of the Senate, first performing our duty as Senators in ratifying a treaty and next performing our sworn duty as Senators in respect to the common defense of the country, to have every line and everything upon which is predicated any reduction of our naval strength, any increase in our naval strength, any curtailment of our naval strength, or anything that affects in any degree the defense of the Nation? Only by thus knowing can we perform the duty that is enjoined upon us under the Constitution of our country.

In my communication I asked for—

(5) The proposition or statement of the size and character of the Navy desired by the representatives of the United States at London made on or about February 5, 1930, to the London conference.

On February 5, 1930, the American delegation at London presented its proposals of the size and character of the American Navy under the treaty then being considered.

February 5, 1930! I took this date and what was done subsequently from the various newspaper accounts to which I have had to go in order to get my information about this treaty. Here, sir, upon my left is the London Times, with every clipping from that paper that related to the London pact or to the London conference. Here, sir, upon my right are reprints from certain New York papers of all that has transpired and all that has been printed concerning what happened in London. Here as well are reprints or excerpts or copies of what has been printed in Tokyo concerning the treaty. It is an anomalous and unheard-of situation; it is not in accordance with this high legislative body that we must go for our information concerning what transpired and learn what our representatives did to the newspapers of this and other lands or be dependent upon anything else than the original documents and papers themselves.

This is not a question of confidence. This is not a question, sir, of observing secrecy. Every man upon this floor has sufficient discretion, I take it, to observe what he should in the conventions when it comes to the disclosure of any matter that may be submitted to the United States Senate. If it be absolutely essential under any circumstances to go into secret executive session because of the character of the information that may be conveyed, doubtless the Senate would desire that to be done and doubtless a motion to that effect could be carried.

It is not a question of observing inviolate what may be given to us or to one or another as the case may be. When men come into this body representing their sovereign States it can not be written that one man may be trusted, forsooth, as yesterday was the implication of the Senator from Pennsylvania, with all the documents relating to a treaty, but that another Senator could only be trusted to look at those documents in his custody and refrain from talking to any of his colleagues in regard to those documents. That, sir, makes of one sort of man in the United States Senate one kind of character, and makes of all the rest of the men in the United States Senate another and a different kind of character.

I yield to every man upon the floor the respect and regard to which I think his high position entitles him. I never stand here questioning any man's motives and I never will, either in this

particular debate or otherwise. I insist though that we are all here upon an equality. No one man has the right, no matter how superior he may be, to arrogate to himself the custody of that which is important in the making of a treaty and deny it to all his fellows unless accepted as a boon and privilege from him. I declined yesterday to accept that boon and privilege. I shall decline it continuously during the debate upon this subject.

But after this letter had been written to the chairman of the Committee on Foreign Relations, subsequently I discovered that another document had been put into the public record of the Senate Committee on Naval Affairs which referred to various letters, telegrams, and the like. For those documents I asked as well as those which had been put into the record of the Foreign Relations Committee. While the Foreign Relations Committee was considering the subject there was presented by the Senator from New Hampshire [Mr. MOSES] a motion that all the papers and letters and documents relating to the 1927 conference at Geneva should be furnished to the committee as well. The committee regularly passed its resolution asking that they be transmitted.

In reply to the requests that were made for those various documents the Secretary of State on June 6, 1930, wrote as follows:

THE SECRETARY OF STATE,
Washington, June 6, 1930.

DEAR SENATOR BORAH: I am in receipt of your letter of June 3, requesting on behalf of the Committee on Foreign Relations certain papers relative to the Geneva conference of 1927. I am also in receipt of your favors of June 3 and June 4, transmitting copies of letters of Senator JOHNSON of the same dates, respectively, in which he makes certain inquiries and also asks for certain confidential telegrams of the department and also for "all letters, papers, documents, telegrams, dispatches, and communications of every sort leading up to or relating to the London conference and London treaty."

I am sending you by hand a set of all of the records of the conference for the limitation of naval armament, held at Geneva in 1927, which have been made public. I am also sending you a confidential memorandum which will answer as far as possible the questions contained in Senator JOHNSON's letter of June 3. Respecting the other papers called for, I am directed by the President to say that their production would not, in his opinion, be compatible with the public interest. These requests call for the production and possible publication of informal and confidential conversations, communications, and tentative suggestions of a kind which are common to almost every negotiation and without which such negotiations can not successfully be carried on. If the confidence in which they were made to the American delegation in London is broken, it would materially impair the possibility of future successful negotiations between this Government and other nations. The necessity of preserving such confidences was made clear by President Washington at the very beginning of this Government. In reply to a resolution of the House of Representatives of March 24, 1796, he said:

"The nature of foreign negotiations requires caution and their success must often depend on secrecy; and even when brought to a conclusion a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic; for this might have a pernicious influence on future negotiations or produce immediate inconveniences, perhaps danger and mischief, in relation to other powers."

Both the Secretary of the Navy and I have been before your committee and have been examined at length. Officers of the Navy have also freely given their views to your committee. Moreover, two members of your committee were members of the American delegation at London and are familiar with every phase of the negotiations from beginning to end, and stand ready to make their knowledge available to interested members of your committee. The question whether this treaty is or is not in the interest of the United States and should or should not be ratified by the Senate must in the last event be determined from the language of the document itself and not from extraneous matter. There have been no concealed understandings in this matter, nor are there any commitments whatever except as appear in the treaty itself and the interpretive exchange of notes recently suggested by your committee, all of which are now in the hands of the Senate.

Very respectfully,

HENRY L. STIMSON.

THE HON. WILLIAM E. BORAH,
United States Senate.

In answer to this letter I issued a statement which was widely published, and which was, as follows:

SATURDAY, JUNE 7, 1930.

The power of the President to negotiate treaties is derived from the Constitution, which says:

"He shall have power by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present concur."

In the making of treaties, therefore, the duty of the Senate is as important and solemn as that of the President. Apparently this is forgotten in the present discussion. The Secretary of State goes back to the famous Washington message of 1793 and quotes it as follows:

"The nature of foreign negotiations requires caution and their success must often depend on secrecy; and even when brought to a conclusion a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic; for this might have a pernicious influence on future negotiations or produce immediate inconveniences, perhaps danger and mischief, in relation to other powers."

This message was to the House of Representatives, not to the Senate. The point then at issue has been misunderstood by the Secretary of State and his quotation by a singular oversight stops short of what makes plain Washington's meaning. Immediately following the quotation, Washington's message proceeds:

"The necessity of such caution and secrecy was one cogent reason for vesting the power of making treaties in the President, with the advice and consent of the Senate, the principle on which that body was formed confining it to a small number of members. To admit, then, a right in the House of Representatives to demand and to have as a matter of course all the papers respecting a negotiation with a foreign power would be to establish a dangerous precedent."

The quotation proceeds:

"* * * I repeat that I have no disposition to withhold any information which the duty of my station will permit or the public good shall require to be disclosed; and in fact, all the papers affecting the negotiation with Great Britain were laid before the Senate when the treaty itself was communicated for their consideration and advice."

Thus, it will be observed that the denial of the papers by President Washington was to the House of Representatives, which was not a part of the treaty-making power, but that all the papers and documents, were laid before the Senate, which was a part of the treaty-making power.

May I commend to the very able representatives of the State Department the study of the controversy between the House of Representatives and the President, which arose in relation to the Jay treaty, and which has been a source of debate among statesmen and comment among historians and writers from the time of Washington to the present. The question there was not at all like that here involved.

I might add the Foreign Relations Committee has ever in the past jealously guarded such confidential information as has been transmitted to it, and to-day, as in days gone by, if it be compatible with the public interest to maintain as confidential some state documents upon which the treaty was founded, the Foreign Relations Committee and the Senate itself will, of course, maintain that confidence inviolate.

In the case of the London treaty a very different proposition is presented that either lawyer or layman can readily understand. In the hearings before the Foreign Relations Committee the signers of the treaty themselves introduced into the public record a document wherein the Premier of Great Britain is quoted most intimately concerning the negotiations, and the contents of various dispatches between the British Government and our own are discussed and referred to. When the signers of the treaty saw fit thus not only to introduce in evidence but to make public a part of the telegrams and communications passing between the British Government and our own, the Foreign Relations Committee at once were entitled to all of the details and everything relating to the subject matter. It is silly and worse for any individual to contend that he can put into the public record and publish broadcast in the press of the country a part of the correspondence bearing upon the treaty and then holding up his hands in holy horror at a request for all of the correspondence, pretend that while a part of the record upon which he relies may be by him given to the public, the giving of all of it to his partner in treaty making would be incompatible with the public interest.

This is the question that is at issue in the demand that I have made for the papers relating to the London treaty, and it can not be avoided by a half quotation from Washington, which is utterly set at naught by the full context nor by any pretense of safeguarding delicate international secrets.

Subsequently in the Foreign Relations Committee the matter was considered, and, after due deliberation, a resolution was adopted by the committee, the resolution having been prepared by a subcommittee consisting of the chairman of the Foreign Relations Committee [Mr. BORAH], the Senator from Alabama [Mr. BLACK], and the Senator from New Hampshire [Mr. MOSES]. The resolution that was then prepared and then adopted by the Foreign Relations Committee was as follows:

"Whereas this committee has requested the Secretary of State to send to it the letters, minutes, memoranda, instructions, and dispatches which were made use of in the negotiations prior to and during the sessions of the recent conference of London; and

Whereas the committee has received only a part of such documents; and

Whereas the Secretary of State, by direction of the President, has denied a second request from this committee for all of the papers above described; and in his letter to the chairman of this committee has apparently attempted to establish the doctrine that the treaty of London must be considered by the Senate "from the language of the document itself and not from extraneous matter": Therefore be it

Resolved, That this committee dissents from such doctrine and regards all facts which enter into the antecedent or attendant negotiations of any treaty as relevant and pertinent when the Senate is considering a treaty for the purpose of ratification, and that this committee hereby asserts its right, as the designated agent of the Senate, to have free and full access to all records, files, and other information touching the negotiation of any treaty, this right being based upon the constitutional prerogative of the Senate in the treaty-making process; and be it further

Resolved, That the chairman of this committee transmit a copy of these resolutions to the President and to the Secretary of State.

Thus we find the assertion of a right made by an important committee of the Senate to the letters, the papers, and the documents relating to a treaty, and to every antecedent or any attendant negotiation of that treaty, and this committee insisting that it regards all facts which enter into either the antecedent or attendant negotiations relevant and pertinent, and that the committee asserts its right as a designated agent of the Senate to have free and full access to all records and other information touching the negotiation of the treaty.

Mr. GLENN. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Illinois?

Mr. JOHNSON. I yield.

Mr. GLENN. I presume the resolution which the Senator from California has read includes not only the documents but also is broad enough to include and was intended to include the conversations between the President of the United States and the Prime Minister of Great Britain. Is that correct?

Mr. JOHNSON. I really do not know whether it would be sufficient to include them or not, and I do not know how we could get them.

Mr. GLENN. What is the Senator's judgment about that?

Mr. JOHNSON. I imagine that the resolution relates to papers, documents, and the like, or such information as might be conveyed in respect to the execution of the treaty.

Mr. GLENN. Does the Senator think that the conversations would come within the purview of the resolution?

Mr. JOHNSON. If the Senator refers to the conversations that were held on the Rapidan as to the size of the trout in the stream and the like; no, I do not think so.

Mr. GLENN. No; but as to the size of the cruisers and the battleships.

Mr. JOHNSON. Ah, yes, sir, I think that if at that time Mr. MacDonald, as is the information I have at hand, committed himself to the construction of another battleship by the United States the Senate is entitled to know it.

Mr. GLENN. And the Senator thinks we could call upon and we do call upon the President of the United States to state the substance of those conversations.

Mr. JOHNSON. No; I do not. We call upon him to transmit every document and all the information at his disposal. Do not misunderstand me; do not confound the question of propriety with the question of power. It is within the power of the President of the United States to refuse.

Mr. GLENN. That is not the question I am propounding at all.

Mr. JOHNSON. But I am speaking of the propriety of the situation; and I say propriety demands, if the President of the United States had negotiations which affected the Navy of the United States of which we do not know, that he inform us of those negotiations.

Mr. GLENN. And that, in the Senator's opinion, would be so, even though those negotiations were intended to be and were pledged to be confidential?

Mr. JOHNSON. Of course, if they affected the Navy of the United States and cut it down I say yes.

Mr. GLENN. And, of course, it would necessarily follow, from the Senator's position, if the Senate Foreign Relations Committee or the Senate itself is not fully satisfied with the statement made by the President in regard to the conversations, that we could call upon him and examine him and cross-examine him. Is that correct?

Mr. JOHNSON. I did not say anything of the sort.

Mr. GLENN. But would not that be the logical consequence of the Senator's position?

Mr. JOHNSON. No; it would not be at all. I tried to say to the Senator in the beginning, though, evidently I was unable

to pierce his intellect in that regard, that there was a difference between propriety and power. I say propriety demands one thing; power might preclude the doing of anything that the party who had the power did not wish to do.

Mr. GLENN. What would be the Senator's position as to the propriety—I will endeavor to pierce his intellect—

Mr. JOHNSON. I thank the Senator. Really, I do not think the Senator will have much difficulty in doing so.

Mr. GLENN. In the Senator's judgment, would it be proper, in case, after the President had complied with the demand that he relate or send to the Senate the substance of each of the conversations he held—

Mr. JOHNSON. If they related—

Mr. GLENN. Just a moment, please—would it be proper, in the Senator's opinion, if we were not satisfied with his answer to call him here and examine and cross-examine him?

Mr. JOHNSON. We have not any such right and power.

Mr. GLENN. The Senator says we have the right to get the information.

Mr. JOHNSON. We have neither the power nor the right to do what the Senator suggests. I am speaking of the propriety of the situation upon the part of the other party to this contract.

Mr. GLENN. Will the Senator yield for another question?

Mr. JOHNSON. I yield.

Mr. GLENN. The Senator stated that he had no doubt that if this information were revealed to the Senate it would be kept absolutely sacred and secret if it were in the public interest that it should be so regarded. I think that was the substance of the Senator's statement.

Mr. JOHNSON. I said to the Senator that I was going to accord every man upon this floor that degree of responsibility and discretion which some one man might arrogate to himself.

Mr. GLENN. Of course the Senator from California will recall the incident which happened just a short time ago, because of which, in view of the fact that we were unable to keep things secret, we had to change the rule of the Senate as to executive sessions, and make them open.

Mr. JOHNSON. I recall all that, but what of it? Therefore, the Senator is not going to do his duty as a Senator because some other Senator has violated his obligation and told what he ought not to tell. The Senator is going to deny himself the information that is his and that belongs to the Senate because somebody has gone outside and talked to a newspaper man.

Mr. GLENN. No; not at all.

Mr. JOHNSON. What is the Senator going to do, then?

Mr. GLENN. Realizing the fact, which has been demonstrated here, that things which under our rules should be regarded as secret and kept secret are not regarded as secret and kept secret, some of us are not going to vote to make public to the world things which it is contrary to the public interest of our country should be made public, well knowing that they will be made public.

Mr. JOHNSON. Of course, the Senator is not going to make them public.

Mr. GLENN. But we know they may be made public.

Mr. JOHNSON. That is the obligation that rests upon us. Just look at his position! The distinguished Senator from Illinois would deny himself all information upon a subject that has to do with his country and its future because, forsooth, somebody might make that information public if he learned of it.

Mr. GLENN. Not at all. My position is this: Well knowing, as past experience has demonstrated, that things which we have declared it was in the public interest to be regarded as secret have been made public and scattered throughout the world, I am not, in the interest of the country, going to vote to make open to the world things which, in the interest of the public defense, should be regarded as private. I am going to place a little confidence in the President of the United States.

Mr. JOHNSON. That question is not involved here. The question is not whether we have confidence in the President of the United States; the question is whether we have any confidence in our own manhood as United States Senators. That is the question and it is not a question of confidence in the President of the United States. When the Senator says to me that he will not have information that is necessary to enable one to reach a full conclusion upon a matter that is pending here because, forsooth, it may get abroad or go outside, I think he misstates entirely the whole purpose of this particular resolution and the obligation that is upon Members of the Senate and upon the entire Senate.

Mr. GLENN. Mr. President, will the Senator yield further?

The VICE PRESIDENT. Does the Senator from California yield further to the Senator from Illinois?

Mr. JOHNSON. I yield.

Mr. GLENN. The Senator from California concedes, does he not, that it is quite possible, if this resolution were adopted and the information were furnished, that information contrary to the interests of our country might get abroad, to our detriment?

Mr. JOHNSON. No; I do not concede it for a quarter of a second. Information contrary to the interests of our country might get abroad if the President furnished us documents dealing with this treaty! I do not admit it for a quarter of an instant. The Secretary of State responded in part to the request of the Foreign Relations Committee and gave to the Foreign Relations Committee certain documents and certain papers, which were only emasculated portions of the particular papers which were requested and of particular communications which were demanded. I have not heard of anybody who has said aught concerning them or has done aught with them thus far at all; not a single solitary soul; and when the Secretary of State gave those papers to the Foreign Relations Committee he gave what were termed paraphrases of dispatches, paraphrases which presumably omitted personal references and things that were thought improper. Nobody has complained, so far as that was concerned, of the fact that those paraphrases were thus given to the Foreign Relations Committee.

The mistake that the Senator from Illinois [Mr. GLENN] makes is this: If he carries to its logical conclusion the view that he expresses, then he never can ask for information upon any matter pending before the United States Senate. He must always receive as absolute and unequivocal, and not only that but as mandatory in its character, whatever may be transmitted to him; and he must do, in the last analysis, exactly as he is told.

Well, there are some of us who do not do exactly as we are told. It is not a question of impugning the President or the Secretary of State or any other official. That is not the idea. The idea is that here before us, safeguarding the country as we all seek to do, whether our views be of one sort or another, we are dealing with a contract made in behalf of our country; and we who deal with it of course want all the information that it is possible to obtain in relation to that contract. Here are press dispatches that describe what happened over abroad, some of which undoubtedly are accurate, some of which undoubtedly are wholly inaccurate.

Here is the London Times. I would not make my friend from Pennsylvania [Mr. REED] blush by reading the description of him when he was selected as a member of the London delegation, nor would I like him to read to me the description of me during the last few weeks, when I have been endeavoring to present the facts in relation to this treaty. Here, sir, are these newspapers, carrying their accounts. I have one from Japan before me. You perhaps know what it is—the Diplomatic Review, a Japanese newspaper that recites in so many words what I can not believe and do not believe, that there was a gentleman's agreement at London by which we were to build only 15 cruisers.

Mr. REED. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. REED. There was absolutely no gentleman's agreement or any other kind of an agreement that is not embodied in the treaty submitted to the Senate. I should like to make that denial as comprehensive as I know how to make it.

Mr. HALE. Mr. President, I should like to ask the Senator a question.

Mr. REED. With the permission of the Senator from California, I shall be glad to answer it.

Mr. JOHNSON. Yes.

Mr. HALE. Was any statement ever made that in all probability such were our shipbuilding conditions in this country that we would not build those ships anyway?

Mr. REED. Absolutely not.

Mr. JOHNSON. I did not originally intend to go into this matter.

Mr. REED. That is, it was not made by any responsible person. So far as I know, it was not made by anyone.

Mr. JOHNSON. I mention the matter simply to show how absolutely essential it is, if we are to act in the fashion that we wish to act, that we should have before us all the information desired, and not be obliged to go to these secondary sources of information that may be utterly erroneous.

I find here the Baltimore Sun of February 28, 1930, Drew Pearson, London correspondent:

The American delegation is contemplating a further reduction in 10,000-ton cruisers from the high level of 21, set by Rear Admiral Hilary P. Jones, to 15, if information obtained in reliable Japanese sources is correct.

According to this information, Senator REED has submitted to Ambassador Matsudaira two alternative suggestions, which, it is empha-

sized, are not definite proposals, but are mere feelers in order to obtain the Japanese reaction.

The first, as previously reported in the Sun, suggested that if the United States builds 18 of the 8-inch-gun cruisers she would be able to complete only 13 of these before 1936, which is the expiration of the proposed treaty, during which period Japan would have practical parity in cruisers, and therefore that the 70 per cent ratio which Japan claims would not become an issue.

I have here from the Chicago Tribune of March 5, 1930, a dispatch by Arthur Sears Henning, dated London, March 4, saying:

Senator REED says that American shipyards can not complete more than 15 cruisers by 1935. Congress provided for the completion of 23 by 1934.

I have from other papers here, in the newspaper clippings, the same sort of thing. Those I do not care to refer to and I do not care to discuss. I indicate them to you as the reason why all the papers and the documents should be put before the Senate, either in closed executive session or open executive session, so that the Senate may determine exactly what was done, this being neither a reflection upon the Senator from Pennsylvania nor any other person whomsoever.

Mr. REED. Mr. President, with the Senator's permission—

Mr. JOHNSON. Go ahead.

Mr. REED. None of the articles from which the Senator has quoted is correct. No assurance was given or estimate made of the number of ships which could be completed by our shipyards. Any such assurance would have been a false assurance if it had been made. I feel perfectly certain that our shipyards, if driven, if forced, can build at the same speed that they showed during the World War. There is no question of their ability.

Mr. JOHNSON. Will the Senator state to me who wrote article 18 of the treaty?

Mr. REED. I shall have to find it first.

Mr. McKELLAR. It is on page 27.

Mr. REED. It was written by the drafting committee, of which Mr. Morrow was chairman.

Mr. JOHNSON. What was the reason for inserting in there "15 cruisers"?

Mr. REED. That was the resultant of the discussions with Japan, and was an element of importance in their eyes, and seemed to be consistent with the building program which our Navy had in mind.

Mr. JOHNSON. When the proposal was made by Ramsay MacDonald it was always for 18 cruisers on our part, was it not?

Mr. REED. The British had agreed to concede us a superiority in 8-inch cruisers, and that offer had been made before the conference met in London.

Mr. JOHNSON. Yes; the papers show that very clearly.

Mr. REED. The question that was open for discussion there was the extent of our superiority over them—whether we should have 18, 19, 20, or 21.

Mr. JOHNSON. It was 18 cruisers, though, that MacDonald offered, was it not?

Mr. REED. It was 18 cruisers which everybody realized could be had without upsetting the relationship with the British dominions.

Mr. JOHNSON. All right. Now, in making the proposition of 18 cruisers there was no condition attached to it in relation to the building, was there?

Mr. REED. No.

Mr. JOHNSON. When you on February 5, 1930, presented to your delegates there the first American proposal that was presented in writing, you presented a proposal for 18 cruisers, did you not?

Mr. REED. That is correct.

Mr. JOHNSON. There was no provision whatsoever in that for the construction of the cruisers, was there?

Mr. REED. It was expected that all of them would be constructed, just as we expect that now.

Mr. JOHNSON. But there was no suggestion of 15 before 1935?

Mr. REED. No.

Mr. JOHNSON. No suggestion that one should be constructed just after the life of the treaty, and no suggestion that one should be constructed a year after the treaty?

Mr. REED. That is right; there was not.

Mr. JOHNSON. That suggestion came from Japan; did it not?

Mr. REED. It did not. It came from me.

Mr. JOHNSON. It came from you?

Mr. REED. Speaking for the delegation.

Mr. JOHNSON. That is, the qualification as to the construction of the three cruisers?

Mr. REED. Exactly. What we were determined to do was to preserve the 10-6 ratio in the biggest, strongest cruisers, and we did it; and that was one of the methods that it was necessary to resort to.

Mr. JOHNSON. You did it during the life of the treaty?

Mr. REED. Why, of course not. We have such an inferiority in cruisers now that we can not hope to have even parity during the life of the treaty.

Mr. JOHNSON. What is that?

Mr. REED. We are so far inferior in 8-inch cruisers—

Mr. JOHNSON. Why, of course; and they permit us to build up!

Mr. REED. O Mr. President, were it not the Senator who said that, I would characterize it as almost silly.

Mr. JOHNSON. It is as silly as the idea that you suggested to me a moment ago, that you are giving parity during the life of the treaty, when you are not either giving parity with Britain during the life of the treaty or keeping your ratio of 10-6 to Japan during the life of the treaty.

Mr. REED. Will the Senator permit a reply?

Mr. JOHNSON. I will permit a reply if it is decent, or I will permit any kind of a reply.

Mr. REED. At the present time the United States has two 8-inch cruisers—

Mr. HALE. Mr. President—

Mr. REED. The Senator from Maine will not permit a reply.

The VICE PRESIDENT. The Senator from California has yielded to the Senator from Pennsylvania.

Mr. HALE. I desire to correct a statement made by the Senator from Pennsylvania.

The VICE PRESIDENT. The Senator from California has yielded to the Senator from Pennsylvania.

Mr. JOHNSON. Yes; I yielded to the Senator from Pennsylvania.

Mr. HALE. Will the Senator yield to me?

The VICE PRESIDENT. The Senator from Pennsylvania is entitled to the floor.

Mr. HALE. I asked the Senator from Pennsylvania if he would yield.

The VICE PRESIDENT. The Senator from Pennsylvania has no right to yield. Does the Senator from California yield to the Senator from Maine?

Mr. JOHNSON. I am glad to. If they desire it, I will yield to both. I yield to one or both.

Mr. HALE. I simply want to state—

Mr. REED. I withdraw in favor of the Senator from Maine.

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Maine?

Mr. JOHNSON. I yield to the Senator from Maine.

Mr. HALE. I simply want to state that at the present time we have in commission not two but five of the treaty cruisers. Also, I should like to state that if the Senator recalls the cruiser bill, he knows that by the end of 1934 the 15 cruisers authorized under the cruiser bill would have been actually finished and in commission if we had followed out the law, as I presume we would have done.

Mr. REED. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. JOHNSON. Yes; I yield to the Senator.

Mr. REED. The Senator talks about parity in these ships during the life of the treaty. When we went to London, whatever may have happened in the past few days, we had one 8-inch cruiser in commission. Great Britain had 15, with 4 more building. She agreed to scrap 4, and it was agreed that we might go on and build up to 18.

Mr. JOHNSON. If the Senator is going to make a speech upon the subject, I can not yield to him, because I have to reply.

Mr. REED. I see.

Mr. JOHNSON. I did not want to go into the detail of the treaty to-day. I am glad to do it ultimately; but when you begin with such statements as "she had 15 and she is going to scrap 4," you know when she is going to scrap the 4, do you not?

Mr. REED. She is going to scrap the four before the end of the treaty.

Mr. JOHNSON. Yes; she is going to scrap the four on the last day of the treaty. Now, you see, we get into a discussion that is not of particular value.

Mr. REED. I was not going to take more than 30 seconds of the Senator's time.

Mr. JOHNSON. Go ahead, sir.

Mr. REED. But necessarily facing facts, as we had to do, we had to realize that the disparity now existing would take time to overcome; and we thought, and the experts confirmed

the thought, that it would take six years to overcome it, and we would get parity in 1936.

Mr. JOHNSON. All right, sir; we get a parity in 1936—maybe.

Because we went into that subject, for no other reason than for your own information, let me read you from the Diplomatic Review of Tokio.

Mr. REED. I never heard of it.

Mr. JOHNSON. I never heard of it until I got this article, and then I began to investigate what it was. I found that it is a magazine subsidized by the Japanese Government, the editor of which is a man of culture and high reputation; and I found this article that was translated for me. I will not read all of it. I will give it to you all to read subsequently, if you like; but I want to call part of it to your attention as showing you how utterly misleading it may be for one to have to depend for a determination of his views upon newspaper articles.

To tell the exact truth—

The editor of this magazine is Mr. Hanzawa, a Japanese, as I say, of repute and standing, writing in a magazine that from the telegrams that I have sent I have ascertained to be not official in character, but subsidized by the Government, and often containing the views of the Government. The Government of Japan bears a very different relation to its press from what we do in this country.

To tell the exact truth, we are opposed to making the London pact, just as it is in the text, effective and binding upon the participating states. We think it extremely important as a preliminary condition of imperial ratification, even if the pact itself is to be made effective just as it is, to bring about some sort of practical arrangement under which the contracting powers in the exercise of their rights under the pact will in fact discard some of those rights or postpone their exercise. To put this concretely, we take the view that until America, voluntarily and on her own initiative, gives valid assurance of her purpose not to begin building the three cruisers which by the terms of the pact she may begin, 1 in 1933, 1 in 1934, and 1 in 1935, or until by a special exchange of diplomatic correspondence between Japan and America such a pact is authenticated, our country should by no means ratify.

Continues the paper:

After all, no matter how modest were our envoys or how considerate our Government this London pact was not signed cheerfully.

Out of that some may take some solace.

Even taking the pact itself as in the text, outside of the pact and the minutes of the proceedings we can explain that there was between the plenipotentiaries of all the states an unwritten understanding as between gentlemen and men of national reputation mutually arrived at among themselves personally by mutual concession and mutual confidence which led to the signing of the pact. In fact we know from the explanations of the Foreign Office authorities that the American envoys had no wish to have the building of the three ships actually begun. They only urged the insertion in the text of the pact of the provision as a right on paper in order to meet the public opinion at home and make ratification by the Senate possible. That is, the imperial government, relying on this information, sent their instructions and the imperial plenipotentiaries, with this pledge as their security, signed the pact.

If America on account of public opinion and the Senate says it is necessary to have such rights on paper, Japan also ought to demand reasonable rights on paper on account of public opinion in general and the Privy Council. But the Imperial Government, sympathizing deeply with America's situation, and having sincere confidence in the verbal pledge of the American plenipotentiaries, with self-restraint dared to do its utmost for the completion of the pact. Hence, so far as the understanding of our country goes, the laying down of the three big cruisers by America after 1933 is a right on paper until ratification by the Senate; but, in fact, the kernel of the Japan-American entente and the condition of signature was a gentlemen's understanding that these ships should not be built.

Mr. REED. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. REED. Just so that that kind of a story may not go unanswered for a moment, I would like, with the Senator's permission, to say that there is not a word of truth in that.

Mr. JOHNSON. Mr. President, I want to quote, too, the newspaper reports denying just that story.

Mr. WALSH of Montana. Mr. President, will the Senator yield to me?

Mr. JOHNSON. I yield.

Mr. WALSH of Montana. In view of the semiofficial character of this statement, at least as stated by the Senator from California, I would like to inquire whether it would not be most advisable to address a communication to the Secretary of State and get his admission or his denial of the alleged agreement?

Mr. JOHNSON. Mr. President, my impression is that the Secretary of State has already said, with positiveness and directness, that there is no outstanding verbal understanding or agreement.

I want to read, in order that this may be perfectly clear, what certain of the Japanese have said concerning or denying that there was any such agreement. I read the concluding paragraph, without reading all of the article:

However, if America at this time respects the pledge given at the London conference and on her own initiative defers the exercise of part of her building rights under the provisions of the pact, thus actually proving her national peacefulness, she will exemplify the sayings, "The benevolent man has no enemies," "Virtue is never alone but always has neighbors." She not only will greatly increase the respect of the whole world but she will certainly as a result, first of all, soothe the feelings of the Japanese people toward America, and this will be more valuable to America than the building of a million tons of warships.

Finally, we understand that Mr. Castle, the American ambassador, after his return to America in a short time, is to resume his important post in the State Department. Through this article, in lieu of a special farewell word to him, on the eve of his return to his country we earnestly request him to communicate our sincerity to the whole American people.

On May 21 there was a dispatch to the New York Times from Tokyo, in which this occurs:

Vice Minister of Foreign Affairs Yoshida gave an interview to your correspondent to-day, in the course of which he said the Japanese Government and people very sincerely hoped the United States would not build three additional cruisers, which she is permitted to lay down in 1933, 1934, and 1935 under the terms of the London treaty. He denied the report that any commitment had been made by the American delegation not to build those cruisers.

"The Japanese Government and people very sincerely hope," he said, "that the United States will not build the three extra cruisers. In fact, the Japanese delegates at the London conference tried their hardest to influence the American delegates to commit themselves in this sense. The American delegates never consented and declared they could not accept this suggestion, so the reported statement credited to a member of Admiral Takarabe's party is not true. Furthermore, there was no agreement made at London which has not been published."

On June 24 there was a further dispatch to the New York Times from Tokyo, as follows:

Officials here deny the statement made by Gyoku Hanzawa, editor of the Gakko Jihō, or Diplomatic Review, and say there is no gentlemen's agreement between the United States and Japan by which America would forego building the three extra cruisers permitted under the terms of the London naval treaty.

The Foreign Office spokesman told your correspondent to-day the United States had every right to build three extra cruisers if it desired. He said Japan could raise no objection since she had signed the treaty.

Officials, of course, hope that when the time comes the American Government may of its own accord forego building the vessels.

Admiral Takarabe, Minister of the Navy and a delegate to the London conference, in a written statement given to your correspondent said he knew nothing about any such agreement. Vice Minister of Foreign Affairs Yosida in a statement to your correspondent on May 20 expressed the hope that the United States would not build three additional cruisers, but denied any commitment had been made by the American delegation to London.

It is no secret that the Japanese delegation to London tried to prevail upon the American delegates to agree not to build the additional vessels, but the American delegation never consented.

Gyoku Hanzawa is the veteran editor of the Diplomatic Review, which is subsidized by the Government and which is sometimes called semiofficial, largely because of the type of its contributors, who frequently include members of the foreign office. Mr. Hanzawa is himself, however, considered rather independent and has never hesitated to write freely.

Mr. Hanzawa in an interview said he believed his information to be correct and that an informal understanding was reached between the American and Japanese delegations at London before the treaty was signed. He also said he believed the United States would not build the three last cruisers. Upon being informed that Foreign Office officials and Admiral Takarabe had denied his statement, he said no denial had been made to him since his article had appeared. He refused to divulge the source of his information, but said he considered it reliable.

So much for that article. Here are articles which refer constantly to 15 cruisers to be built only during the life of the treaty.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to me for a question?

Mr. JOHNSON. Certainly.

Mr. ROBINSON of Arkansas. In order that I may understand the Senator's purpose in reading those articles, is it the Senator's contention or belief that there was any such arrangement, express or implied, entered into as referred to in the articles which he has just read?

Mr. JOHNSON. No; I do not think so. I think the Japanese think so, but I do not think for an instant that there was. I have not any doubt, because I have before me here the Japanese Advertiser with a similar article in it, that there is a feeling in Japan that there was something of that sort, but, of course, I believe our own delegation, and when they say to me that there was no such thing as that, that is conclusive.

There is one other thing which would indicate to me why it is necessary to have these papers in this particular discussion. We had a difficulty once with a treaty called the Clayton-Bulwer treaty. Over a great many years there was constant difficulty and constant trouble between those representing the English Government and those representing ours. Singularly enough, it arose in a very remarkable way.

Bulwer Lytton, who was at that time the British ambassador to this country, and Secretary of State Clayton had entered into the celebrated Clayton-Bulwer treaty, and involved in it was the question of recognition of Britain's rights in Honduras and in the immediate vicinity.

In dealing with those rights there was a specific and a definite position taken by Mr. Clayton, our Secretary of State, which it is not necessary for us to go into at length. But after the thing was over a letter was found on file in the State Department, apparently written by the British ambassador, which changed in some degree the understanding that was had between him and our Secretary of State, and that letter has remained from that day to this more of a mystery than otherwise, but it has been felt to be something which, had it at the time been known to the Senate, or had it been known that any such letter was asserted to be genuine and the Senate had been aware of it, the treaty would not have been ratified.

I want to read from statements of certain Senators, among them Borland, Cass, Chase, Downs, Mason, and Soule. I read from what was said by one of them:

Now, sir, I am perfectly free to say for one that, doubting greatly as I did at the time the expediency of the ratification, I should never have voted for it had I supposed that any secret construction was put upon it irreconcilable with the obvious import of its language. It would have been impossible, in my judgment, to have secured its ratification had its language conveyed the sense which the private interpretation of Mr. Clayton's letter puts upon it. Indeed, I doubt whether any Senator would have voted for its ratification had it been supposed that at the very time the treaty was under consideration here a correspondence was in progress of which the Senate was not apprised, with the view of fixing in advance the construction of the treaty by imposing upon its terms a sense quite different from their natural and obvious import.

So here, sir, are certain papers which are presented to us in relation to the pending treaty. Let me recall that the Secretary of State has given to us a certain number of papers which he has paraphrased and which he has presented to the Foreign Relations Committee, and which the Foreign Relations Committee is entitled, if it sees fit, to utilize, and to discuss. But upon those papers, sir, he puts the embargo, in a sentence at the end of his letter, that they must be considered confidential, and only in confidential fashion can they be read or utilized at all.

Those papers might be of grave consequence in relation to a discussion of the treaty here, or those papers might be of little consequence so far as the Senate is concerned. But they have been presented to the Foreign Relations Committee. We are denied the use in debate or the use in dealing with the treaty of those particular papers, and it presents an anomalous situation which should not for one instant be tolerated by the Senate.

Keep in mind, please, that we are asking here in this resolution for all the papers, the documents, the letters, and so forth. Keep in mind that a small part of them are now in the office of the Foreign Relations Committee, but with an embargo upon them which prevents any man on the floor of the Senate using them, arguing from them, or presenting their relevancy to any provision in the pact.

That is an anomalous situation that ought not to be permitted to continue. The Senate should require that those papers may be utilized. Reading them over as I did on one occasion, I can not for the life of me see that there is anything in them, however important they may be in regard to the treaty, which affects in the slightest degree any international relation or that could interfere in any way, shape, form, or manner with our relations with any country on the face of the earth. Yet we are forbidden to utilize those papers which are of this character.

So, Mr. President, we ask in the resolution for all of the papers which may pertain and may be relevant to the treaty. We have some locked up down in the Foreign Relations Committee which, because they are given to us in secret, we are not permitted to use. We are in a situation into which this body never ought to permit itself to get, and in which it can not continue without a loss, it seems to me, of its dignity and of its self-respect. The resolution ought to be passed, and it ought to be passed instantly. I care not the form of it. I care not, indeed, whether subsequently those who are here and who believe that those things should be held in secrecy and in executive session may insist upon that procedure. I care not at all for the one thing or the other; but we ought to insist upon those papers. Sufficient unto the day is the evil thereof. Let the President respond as he sees fit, and when he responds, if it be necessary, the Senate may act then as it may deem proper in the premises.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator a question before he takes his seat?

Mr. JOHNSON. Certainly.

Mr. ROBINSON of Arkansas. Suppose the President does respond, as he did to the Committee on Foreign Relations, and declare that it would be incompatible with the public interest to furnish further documents than have been submitted; what remedy has the Senate? Can the Senate compel the production of them or any part of them?

Mr. JOHNSON. Why, of course not.

The VICE PRESIDENT. The question is on agreeing to the resolution of the Senator from Tennessee.

Mr. LA FOLLETTE. I demand the yeas and nays.

Mr. JOHNSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Goldsborough	Metcalf	Sheppard
Barkley	Hale	Moses	Shortridge
Black	Harris	Norris	Stelwer
Borah	Hebert	Nye	Sullivan
Capper	Johnson	Oddie	Swanson
Caraway	Jones	Overman	Thomas, Idaho
Connally	Kendrick	Patterson	Thomas, Okla.
Copeland	Keyes	Phipps	Townsend
Couzens	La Follette	Reed	Trammell
Fess	McCulloch	Robinson, Ark.	Vandenberg
George	McKellar	Robinson, Ind.	Walcott
Glass	McMaster	Robison, Ky.	Walsh, Mont.
Glenn	McNary	Schall	Watson

The VICE PRESIDENT. Fifty-two Senators have answered to their names. A quorum is present.

Mr. ROBINSON of Arkansas. Mr. President, I propose the following amendment to the pending resolution: On page 2, line 2, after the word "requested," I move to insert the words "If not incompatible with the public interest."

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas.

Mr. BARKLEY. Mr. President, I do not wish to discuss the amendment offered by the Senator from Arkansas, though I favor its adoption. I rise at this time because I am compelled to leave the city and will not return until after a vote has been cast on the ratification of the treaty. In view of that fact I wish to make a very brief statement.

I have been designated as a representative of this body at the meeting of the Interparliamentary Union which is to be held in London from the 16th to the 22d of this month. In order to be able to attend that conference I must leave the city to-morrow. I regret exceedingly that the performance of this function requires my absence from the Senate and from Washington during the consideration of the treaty and at the time when the vote shall be taken. I have postponed my departure until it is now absolutely necessary to leave because I did not want my absence to bring about the lack of a quorum.

Mr. President, I favor the ratification of the treaty. I have arranged a pair which will show that I am in favor of its ratification and expect thus to be recorded. I favor the ratification of the treaty not because it contains all that I had hoped it might contain, not that it brings about the degree of reduction of naval armament which I had anticipated and which I think we all had hoped for when the distinguished delegation which represented our country went to London to attend the conference, but I appreciate the difficulties which surrounded the conference. I appreciate the embarrassment under which all the delegates labored while considering the welfare and interests of their respective countries. I think when we compare the results of the London conference with those of the Geneva conference in 1927 we ought to congratulate ourselves and our country and the world that the delegates in London were able to arrive at some agreement which at least puts a limitation upon rivalry in the building of naval armament.

Mr. President, I believe that the great mass of men and women in all nations desire, in some visible and prompt and practical way, to arrive at a limitation of armament, to bring about a reduction of the enormous burdens which rest upon the shoulders of the taxpayers of all the nations of the world by reason of the armament for which they are compelled to pay and which they are compelled to support.

Being myself actuated by such a desire, I am fundamentally friendly toward every agreement and every species of negotiation that will accomplish this purpose—of course, keeping always in mind our first obligation to the safety and defense of our own country.

I favor the ratification of this treaty because I believe that its rejection would be a tragedy, the result of which we can not now anticipate. If this treaty shall be rejected, it will be a long time before there will be another conference in any country composed of delegates from various countries seeking to bring about any agreement or understanding for the reduction of armaments.

I favor the ratification of this treaty because I believe that it will amply protect the interest and welfare of the United States. I respect the opinion of others; I, of course, appreciate the sincerity of Members of this body who have not been able to bring themselves to support this treaty; but I do not share the fears which they have expressed. I believe that if this treaty should be rejected the moral effect upon the world would be such as immediately to bring about a resumption of the most undesirable and offensive kind of naval rivalry among the naval powers of the world. I can not conceive of a more unfortunate situation in which the world might find itself than that.

For these reasons, Mr. President, I regret that my absence will make it impossible for me to cast my vote, but I desire to record my voice in favor of the ratification of the treaty, not only ultimately but immediately, so that its effect may be felt in all the nations of the world. I trust that my vote will be recorded as indicated by my remarks.

Mr. McKELLAR. Mr. President, the reason why the phrase "if not incompatible with the public interest" was not placed in this resolution is obvious to anyone who has kept up with what has occurred with the so-called London peace treaty. It will be remembered that the Secretary of State, no doubt with the President's approval, refused to give this information, asked for in this resolution, when it was asked by the Foreign Relations Committee of the Senate.

Mr. BLACK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Alabama?

Mr. McKELLAR. I yield.

Mr. BLACK. I may state that the Committee on Foreign Relations specifically declined to insert that phrase in the resolution when it was originally offered in the committee.

Mr. McKELLAR. I did not know that, and I thank the Senator from Alabama for the information. Does the Senator from Alabama mean when the resolution was offered asking the Secretary of State for the information that some member of the committee offered an amendment providing that the information should be furnished if it was "not incompatible with the public interest," and that the amendment was rejected?

Mr. BLACK. That is correct. The amendment was not accepted.

Mr. McKELLAR. Mr. President, I can readily understand why the amendment was not accepted. It was for the reason that this demand for negotiation facts is entirely different from the ordinary case where the President is called upon for information concerning a matter of legislation, for instance. Here is a request made in compliance with the very terms of the Constitution, so that the Senate may have all the facts before it which the President had before him.

It is asked what recourse have we if the President refuses our request? Of course, we can not make him comply; but in the orderly proceedings in the ratification or rejection of a treaty I imagine that if the President refuses to the coordinate branch of the treaty-making power information which it is its right and privilege to have, the Senate can, if it so desires, take its own course about the matter; in other words, the Constitution requires the two branches to act together. If one arbitrarily declines to furnish information to the other branch, that branch may do likewise, and decline to act, if it so desires.

Mr. President, I call attention to these words in the President's message of yesterday:

In requesting the Senate to convene in session for the special purpose of dealing with the treaty for the limitation and reduction of naval armament signed at London April 22, 1930, it is desirable that I should present my views upon it.

I now read some other words from the message that are very important, and I call the especial attention of the Senate to them:

This is especially necessary because of misinformation and misrepresentation which has been widespread by those who in reality are opposed to all limitation and reduction in naval arms.

If there has been misrepresentation and misinformation who is to blame? Is it the Members of the body who have a right to know the facts before they act on the treaty, or is it the President who refuses to give the facts upon which this treaty was founded? Who is responsible for misinformation, if there has any been given? The President has all the facts on which the treaty was negotiated. By a simple act he could send them all here to the Senate and the Senate could pass on them for itself; but he declined to do it. Is there any wonder that there is "misinformation," that there is even "misrepresentation" under such circumstances as that? Why can we not be fair and just with each other? The Senate being one member of the treaty-making body and the President being the other, why can we not cooperate? The Constitution of the United States—whether wisely or unwisely we need not now consider—has provided that the Executive and the Senate shall together make treaties. Under those circumstances each is entitled to all the information possessed by the other.

Mr. President, in this connection let me show the difference between the action of those who framed our Constitution and who were familiar with what the design of the framers was and the action of the later-day construers of the Constitution. I first call attention to the manner in which this provision of the Constitution happened to be incorporated in it. I referred to it this morning; but I want again briefly to refer to it.

The first draft of our Constitution omitted the President from the treaty-making power; he was added afterwards. A great debate arose as to whether the President should make treaties of peace together with the Senate, or whether he should be excluded from the making of treaties of peace. Finally it was decided, after much debate, that the President, by and with the advice and consent of two-thirds of the Senators present, should have the right to make treaties of peace and all other kinds of treaties.

How was that provision of the Constitution interpreted by General Washington, the first President and who was also prior to that chairman of the constitutional convention which framed the Constitution? The record is perfectly plain. President Washington came to the Senate to seek its advice on the very first treaty. He did not send a message to the Senate saying "take it or leave it." He did not say, as the Secretary of State has said in this instance, "I have concluded a treaty and you must determine your action from the four corners of that treaty what it contains, and I am not going to give you anything except what I wish to give." He did not say, "Some of these documents may be helpful in considering the treaty and I am willing for you to read them; but there are others which you as a part of the treaty-making power have got no right to, and I am not going to give them to you. You might make them public. Examine this treaty and determine from its four corners whether you are for it or not." Oh, no, Mr. President, Washington did not say that. He came to the Senate and asked its advice and consent.

We are told that—

In the conference with the committee appointed by the Senate August 6, 1789, to confer with the President as to the manner in which communications between the Executive and the Senate respecting treaties and nominations should be conducted, President Washington suggested that, in case of treaties, oral communications seemed to be indispensable because of the variety of subjects embraced in them, which not only would require consideration but might undergo much discussion.

Thereafter, on August 21, 1789, President Washington visited the Senate Chamber and presented a number of questions for the Senate's advice.

In 1790 and 1792 by special message President Washington sought the advice of the Senate as to the conclusion of treaties with certain Indian tribes, and also as to a treaty with Great Britain in regard to the boundary line between Canada and the United States.

Mr. Jefferson—and I call the attention of my Democratic friends to the attitude of the founder of our party, the first Secretary of State and afterwards President for eight years—in an oral opinion on March 11 and in a written communication on April 1, 1792, advised the President that it was advisable whenever possible to consult the Senate before the opening of

negotiations. What splendid Democratic advice! Mr. Jefferson was a true Democrat. I read from Mr. Craudall on this subject:

These first attempts of the Executive to follow out the clear intention of the framers of the Constitution, in consulting the Senate prior to the opening of negotiations, have been followed only in exceptional instances. President Jackson—

I have already referred to the attitude of President Jefferson in regard to this matter—

President Jackson, in a message of May 6, 1830, sought the advice of the Senate as to the conclusion of a treaty with the Choctaw Indians. President Polk—

Another great Democrat—
submitted, June 10, 1846, the proposed Oregon treaty for the Senate's advice. And again in 1846 about the treaty with Mexico.

President Buchanan in 1861 submitted to the Senate the differences about the Oregon treaty.

I call the attention of the Republican Senators to what their great leader, virtually the founder of their party, Abraham Lincoln, did. In 1861, when he first became President, he sought the advice of the Senate as to a treaty as did afterwards President Johnson.

But in these later days the Executive first negotiates a treaty, ordinarily without the knowledge of the Senate. All the papers, facts, and figures in reference to treaties were submitted to the Senate up until 1922, but I believe it was Mr. Harding in 1922 who followed a different course. He negotiated a pact with Great Britain such as this, and I will digress long enough to say that it would have been well if he had submitted that pact to the Senate, because of all the treaties America ever entered into the one most hurtful and injurious to the American Nation as a nation was the celebrated treaty growing out of the Washington conference of 1922. Somebody here to-day was talking about its bringing about parity or that at some time it would bring about parity. Such an idea is ridiculous in view of the facts in reference to the 1922 treaty.

Mr. SHORTRIDGE. Mr. President, I wish to propound a question to the Senator from Tennessee.

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. I yield.

Mr. SHORTRIDGE. Assuming that the resolution as introduced by the Senator from Tennessee should be passed in its present form, or if it should be amended as suggested by the Senator from Arkansas [Mr. ROBINSON], and assuming that the President should feel disposed, persuaded by the action of the Senate, to send to the Senate all the papers and documents referred to in the resolution, is it proposed to make use of all those papers and documents in open executive session?

Mr. McKELLAR. Mr. President, I do not know what it is proposed to do, but let me answer the Senator.

Mr. SHORTRIDGE. I ask because upon that fact turns the view of some of us.

Mr. McKELLAR. Let the Senator wait for just one moment, and I will tell him what I think about it.

So far as I am concerned, I do not think any representatives of America should make any secret treaties or enter into secret negotiations. I do not believe that we as a Senate or that the representatives of the President ought to enter into secret negotiations with any nation for any purpose whatsoever. I believe, as a great American once said, in "open covenants openly arrived at." I think it would be infinitely better for the American people that all our agreements of whatever kind or description should be entered into in the light of the open day. I do not believe in secret agreements.

For years I sat here and voted for open executive sessions of the Senate. I do not believe that we ought to conduct the people's business in secret, but if a majority of my colleagues, after they get this information from the President—and I hope they will get it—want to go into secret session to consider it, I shall vote against it, but if they outvote me I shall uphold the action of the Senate in keeping the matter wholly executive.

Mr. SHORTRIDGE. Mr. President, will the Senator permit a further interruption?

Mr. McKELLAR. Yes; I yield.

Mr. SHORTRIDGE. I do not care to discuss the question, but I merely wish to observe that it might be that many things should be considered by the Senate that would be very unwise and hurtful to the Nation if discussed in the open.

Mr. McKELLAR. It is possible, of course.

Mr. SHORTRIDGE. Personally, I think the American people have faith in the Senators whom they send to this body, and I think they would have confidence in the deliberations of this

body if or when held in secret executive session. I merely raised the point to add, in conclusion, that to my mind there might arise an occasion when it would be almost treason to our country to discuss a matter in the open—not as it would affect our own people, but conceivably as it might affect and inspire action by other peoples.

Mr. McKELLAR. Of course, such a situation is conceivable.

Mr. ALLEN. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Kansas?

Mr. McKELLAR. In just one moment. I want to answer the Senator from California first.

Of course, it is conceivable that such a condition might exist; but I do not think there is anything in this treaty—I can not conceive of anything in the negotiations here—which should not be submitted to the public gaze. I have heard members of this very conference out in the open Senate say—and I know it is true—that they are perfectly willing to have all matters submitted. I see no reason why they should not be.

I have every confidence in them; but when the President comes and says, "Here is a treaty which you Senators, who are coequal with me in making, must determine from its four corners, and you are not to have the facts on which it is negotiated," that puts a very different phase on the matter. Of course, I do not need to tell the Senator that he has a right to move to go into closed executive session at any time that he desires, and if a majority of the Senate vote with him, there we go; and if a matter is held to be confidential there, it is going to be held confidential by me.

I now yield to the Senator from Kansas.

Mr. ALLEN. Mr. President, the Senator has spoken of him who spoke of "open covenants, openly arrived at." I wonder if the Senator remembers the occasion upon which that President came before this body pleading for us to give him a vote of confidence in connection with the Panama Canal tolls, and said, "Unless you grant me your confidence in generous measure, I shall not know what to do with certain perplexing and delicate problems which now confront me." If the Senator was a Member of this body at that time, did he yell for the President to lay before the body what those "delicate and perplexing problems" were?

Mr. McKELLAR. I do not recall whether I did or not, but the whole country did. Every newspaper in the land wanted to know what they were. It was not important, because there was nothing before the Senate to require it to be done; but, while I am not going into the political side of it, I remember that President Wilson had been very much on the other side of the Panama Canal tolls question, and became a convert to the law that he afterwards espoused after he was elected President.

Mr. ALLEN. The matter to which I have reference, it seems to me, is cogent here. There was a man who asked us to trust him with a delicate situation, and you were willing to trust him.

Mr. McKELLAR. Every delicate situation that President Wilson ever undertook to carry out he handled well. He had a good many delicate situations to deal with, and I think the whole country admits that he did it very well.

Mr. ALLEN. I am not disputing that.

Mr. McKELLAR. I am not going to discuss the former President of the United States here. It is not material. There is nothing in it. I merely expressed the view that I had similar to that of former President Wilson, namely, that I believe that the public business ought to be done in public. I believe that treaties with foreign nations ought to be made in public. I call attention to this treaty, and I will stop here long enough to quote it, to show what I mean by it. I will just take up one or two phases of it. I read from page 7:

Subject to any disposal of capital ships which might be necessitated, in accordance with the Washington treaty, by the building by France or Italy of the replacement tonnage referred to in article 1 of the present treaty, all existing capital ships mentioned in Chapter II, part 3, Section II, of the Washington treaty and not designated above to be disposed of may be retained during the term of the present treaty.

Again, I turn over to page 9:

The rules for determining standard displacement prescribed in Chapter II, part 4, of the Washington treaty shall apply to all surface vessels of war of each of the high contracting parties.

And in innumerable places in this treaty article 2, Section III, part 4 of this treaty, and of that treaty are referred to. The language is of the most involved character. It would take the proverbial Philadelphia lawyer a long time to understand all of its ramifications. I think if the treaty had been made in public we would have had a much simpler treaty, and somewhat like this:

The British and American battleships shall be of a certain tonnage. Great Britain can build so many tons. America can build so many tons on a 10-10 or a 5-5 ratio.

Cruisers would not have been divided into "subcategories," apparently for the purpose of stopping America from building 10,000-ton 8-inch cruisers, but they would have said:

Each nation shall have so many tons of cruisers.

They could build what they like within that tonnage, and so with submarines and aircraft carriers and destroyers.

A treaty like that would have been open. Everybody would have understood it. It would not have brought about misunderstanding and misconception such as this treaty will inevitably bring and such as the treaty of 1922 brought. In 1922, when that treaty was arranged, America had about 1,300,000 tons of capital ships. Great Britain had less than a million; and our representatives in that conference boldly agreed to sink 835,000 tons of American ships, including substantially all of our new ones. It was done on a propaganda of a 5-5-3 ratio! You all remember the propaganda, just as this propaganda is "parity" propaganda; and what happened to that? Why when the agreement was actually signed, Great Britain had 22 battleships and America had 18. There was no 5-5 ratio about that. Great Britain had 22 and America had 18. The tonnage of Great Britain's battleships was greater. The speed of her ships was greater. Their armor was thicker, their guns were larger, and the number, as I said, was four more. They were to have parity at some time! Instead of being a 5-5-3 ratio they found that it was a parity some time, and that some time has never come.

The Senator from Pennsylvania now says that in 1942 we will have parity. I do not think anybody can tell from it whether we would ever have parity, as a matter of fact. Unless we build more ships of the *Rodney* and *Nelson* type we could not have parity; but let me make this statement about it:

Talking about "misconception" and "misconstruction" and "interference with good will and good understanding," we all remember that about six months after the signing of that treaty President Coolidge sent a secret message to the Congress. You all remember that, all of you who were here then. He said in substance:

Since the treaty has been signed it has been found that 13 of America's 18 battleships can not shoot as far as all the British battleships by from 3 to 5 miles.

And he asked for an appropriation to elevate our guns on the 13 old ships, so that they could shoot farther.

Now, mind you, the propaganda was 5-5-3. The actual signing of the treaty gave Britain 22 and America 18, and six months afterwards, when our new ships and our big ships had all gone to the bottom of the sea, it was found that we only had 5 similar to those of Great Britain, and 13 of our ships could not shoot as far as all of theirs by several miles. The President then recommended an appropriation—we all remember that—to do what? To elevate the guns, in the hope that these 13 might shoot as far as Great Britain's ships. The Congress immediately granted the appropriation. It went through at once; and after it had gone through Great Britain protested when she heard about it, and for a long time it was not carried out. Recently, however—some time ago, I do not remember how long, but it has been several years ago—Great Britain kindly consented that we might elevate the guns on some of those ships.

My understanding is that we have elevated them on 4, and we are elevating them on 4 more; and, by the way, 3 out of those 4 are going to the bottom of the sea when this treaty is concluded, gun elevations and all! We spent many millions—my recollection is \$19,000,000—on 4 of those ships that could not shoot as far as Great Britain's because their guns were not elevated. We have spent \$19,000,000 to elevate them, and now, under this treaty, they are going to be scrapped!

That is one of the troubles about signing that agreement of 1922 without knowing what was in it. So it seems to me that we ought to know all the facts about this treaty before we ratify it. If we had known these facts in 1922, if we had known that we had 15 great dreadnaughts of the battle cruiser and battleship variety, some of them completed entirely, some of them 80 per cent completed, and some of them not so nearly completed, and that we were to send all 15 of those to the bottom of the sea, ships which had cost \$320,000,000, does any sane man believe that the Senate would ever have agreed to sending those great new battleships to the bottom of the sea, if we had known that 13 of the 18 remaining ships could not shoot as far as any of Great Britain's ships by from 3 to 5 miles? We ought to have had the facts before us. That treaty was hurried through just as is here proposed. The Senate did not have the facts. The result was that we have had a woeful

disparity in our battleship fleet ever since. We have it now, and will have it after the new treaty.

Notwithstanding the propaganda as to 5-5-3, we have not been 1, 2, 3 so far as battleships are concerned, and we are not to-day. Great Britain stands with 20 battleships to-day against our 18, superior in armor, superior in speed, and superior in size of guns. The average speed of her ships is 25 knots; the average speed of our ships is 21 knots. There is 2 knots difference between our slowest ship and her slowest ship. We are at a disadvantage, and we will be at a disadvantage as long as the treaty of 1922 remains in force, as far as battleships are concerned, because Great Britain very soon replaced two of her old battleships with the *Rodney* and the *Nelson*. She also had the *Hood*, with a displacement of 42,300 tons. She had a tremendous advantage, and she has had ever since. She has an advantage now, and during the entire life of the pending treaty she will have a tremendous advantage, because the American Senate did not have the facts on which that treaty was based, and they have not the facts now on which this treaty is to be based, and we should not go into it until we get the facts. We were lamentably outgeneraled in the 1922 treaty. If we spend the \$80,000,000 necessary to elevate our guns and revamp our remaining battleships, we still will be inferior in battleships during the life of this treaty.

Mr. President, I want to mention another matter. We show no disrespect whatsoever to the President of the United States by leaving out the words "it not incompatible with the public interest." If he wants to make that statement, there is no reason why he should not make it, if he concludes to refuse this information; but I hope he will not do that. I can not believe that the President of this great Republic, knowing that under the Constitution the Senate and the Executive are on absolutely equal terms in the making of treaties, in the execution of treaties, would be willing to say, "I want you to ratify what I have done without knowing what is in it, without knowing the facts upon which it is based."

Would it not have been better for President Harding in 1922 to have given all the facts to the Senate? If he had, do Senators know how much we might have saved? We have already spent some \$30,000,000 on those poor old battleships, trying to make it possible for them to shoot farther, and I am reliably informed that under the pending treaty it is going to take \$80,000,000 to put the rest of the old battleships into shape so that they may shoot as far as all the British battleships can. If President Harding had furnished us with the information, we probably would not have been in our present situation. We would have saved 18 good battleships to have gone up against Britain's 22 in that agreement.

How can a Senator defend his vote if he votes against asking for the facts? When he goes back home and his constituents begin to ask him, "Why did you vote for the treaty?" what will he say?

Let me ask: Were Senators asked why they voted to ratify the disarmament treaty in 1922 without the facts before them? I do not know whether it was ever widely published or not, but I do not see how Senators can defend their votes which are equivalent to saying, "Here is the Constitution, which gives to the Senate of the United States an equal power with the Executive in treaty making, but the President said you can not have the facts, you must just take it or leave it without knowing the facts." I do not see how Senators can defend their votes under those circumstances.

Does the Senate mean to do nothing to uphold its own powers? Are we going to yield all of our powers? If we are going to yield this, why in the future we will be called on to yield other powers. What is the limitation? Where shall we stop if we here begin to abdicate our powers?

Mr. President, it seems to me that this resolution should be passed without amendment. It means no disrespect to the President, not a particle. Mr. Hoover is the President of this entire country, and he is entitled to the respect of all persons in the Senate and out of it, and no disrespect is meant to him by this resolution. It is a question of the Senate's right; it is a question of our equality of power under the Constitution; it is a question of devotion to the Constitution; it is a question of whether we are going to override the Constitution, or are going to stand by the Constitution as we understand it.

I ask, is there any Senator here who believes that the Senate has not an equal right in treaty making with the President? If so, I will yield to him to make a statement. I will yield to anyone, if anyone thinks that under the Constitution the Senate has not an equal right with the President.

Mr. ROBINSON of Arkansas. Mr. President, the Senator does not mean to assert that the function of negotiating a treaty is a senatorial function? All the authorities hold that the

negotiation of a treaty is an Executive function. The advice and consent of the Senate to a treaty, of course, is a senatorial function.

Mr. McKELLAR. Of course.

Mr. ROBINSON of Arkansas. The Senator made his question entirely too broad. I do not rise for the purpose of entering into a debate with the Senator from Tennessee, but he asks the question whether any Senator disputed the fact that this body has equality of power with the President. I answer that the Senate has no power to negotiate a treaty, and that the President has no power to advise and consent to a treaty after it is negotiated. In other words, while there are required cooperation and joint action by both the Executive and the Senate, the functions of the Executive and the functions of the Senate are different, the one relating to negotiation, the other to advice and consent.

Mr. McKELLAR. Of course, the functions are different. If they had not been different, the two branches would not have been given this power. But the question I ask is, Is there not equality between the President and the Senate?

Mr. WALSH of Montana. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. WALSH of Montana. I want the Senator to consider the Senate having in its possession certain information relating to a treaty which it is considering. Would the Senate be obliged to give that information to the President at his request, in the opinion of the Senator?

Mr. McKELLAR. There would not be any power in the President to mandamus the Senate in the courts, or to force the Senate in any way to give the information, but in reply to the Senator I would say that I would be just as much in favor of the Senate giving the President all the information wanted by him about a treaty as I am in favor of the President giving all information to the Senate about a treaty. They ought to act hand in hand. They ought to cooperate. The same facts ought to be before both branches, and I am sure that, with the reputation of the Senator from Montana and the knowledge the Senator has of the law and the Constitution, he will not take a position contrary to that.

Mr. WALSH of Montana. I was just curious to know what position the Senator would take were the situation reversed.

Mr. McKELLAR. I would take exactly the position I take now. If President Hoover or any other President wanted any facts within the knowledge of the Senate, he would be entitled to those facts, and they ought to be presented to him, as Mr. Ramsay MacDonald once said about another matter, "in full and overflowing measure." It ought to be done. Here are two branches of the Government which are given the power to enact treaties. There should be no secrets between them. They ought to have equal right and equal opportunities to know all the facts.

Mr. President, I hope the resolution will be agreed to. I hope the amendment will be voted down, for the reasons I have stated. The Foreign Relations Committee, the agents of the Senate, have already asked for this information of the Secretary of State, and the Secretary of State has refused it. There should not be any doubt or any difference, there should not be any circumlocution, we ought to ask for the facts, and if the President believes they should not be given, that is another matter.

Mr. MOSES. Mr. President, I had hoped that the Senator from Tennessee before ending his discussion would advert to the fact that the Secretary of State did send to the Committee on Foreign Relations a small portion of the papers which were asked for.

Mr. McKELLAR. I did refer to that. If I recall aright, I suggested that the Secretary of State selected such portions of the records as he thought should go before the committee, and those did go before it. I gave that as an additional reason why we ought to have all the information—that having imparted a part of it, it was the duty of the Secretary to impart it all.

Mr. MOSES. He sent certain papers under the seal of confidence.

Mr. McKELLAR. I did not understand that, and I do not think they ought to be submitted under the seal of confidence.

Mr. MOSES. I have never been able to explain satisfactorily to myself why he did not send all of them under a similar seal of confidence. Was there something he wanted to conceal?

Mr. BORAH. Mr. President, it has been suggested to me by several Senators that we meet to-morrow at 11 o'clock instead of 12. I think it fair to wait another day before that is done, in view of the fact that Senators did not expect such a rule to be adopted to-day. After to-morrow I shall ask that the Senate meet at 11 o'clock, in recess.

I move that the Senate take a recess until to-morrow at 12 o'clock.

RECESS

The motion was agreed to; and the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Wednesday, July 9, 1930, at 12 o'clock meridian.

SENATE

WEDNESDAY, July 9, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

HENRY D. HATFIELD, a Senator from the State of West Virginia, and HENRIK SHIPSTEAD, a Senator from the State of Minnesota, appeared in their seats to-day.

SUPPLY OF NEWSPRINT PAPER (S. DOC. NO. 214)

As in legislative session,

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting in response to Senate Resolution 337, Seventieth Congress, second session (agreed to February 27, 1929), a report of the commission regarding certain phases of the newsprint-paper industry resulting from the investigation made pursuant to the resolution, which was referred to the Committee on the Judiciary and ordered to be printed.

ANNIVERSARY OF THE BATTLE OF KINGS MOUNTAIN

As in legislative session,

The VICE PRESIDENT. Under the terms of House Concurrent Resolution 21, the Chair appoints the Senator from Ohio [Mr. FESS], the Senator from North Carolina [Mr. OVERMAN], and the Senator from South Carolina [Mr. BLEASE] as members on the part of the Senate of the joint committee to represent the Congress at the celebration to be held at the battle ground of the Battle of Kings Mountain, S. C., on October 7, 1930.

LONDON NAVAL TREATY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Harris	Moses	Shortridge
Bingham	Hastings	Norris	Stetler
Black	Hatfield	Nye	Stephens
Borah	Hebert	Oddie	Sullivan
Capper	Howell	Overman	Swanson
Caraway	Johnson	Patterson	Thomas, Idaho
Copeland	Jones	Phipps	Thomas, Okla.
Couzens	Kendrick	Pittman	Townsend
Dale	Keyes	Reed	Trammell
Fess	La Follette	Robinson, Ark.	Vandenberg
George	McCulloch	Robinson, Ind.	Walcott
Gillett	McKellar	Robson, Ky.	Walsh, Mass.
Glenn	McMaster	Schall	Walsh, Mont.
Goldsbrough	McNary	Sheppard	Watson
Hale	Metcalf	Shipstead	

Mr. COPELAND. I desire to announce the unavoidable absence of my colleague the junior Senator from New York [Mr. WAGNER].

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASE] are detained from the Senate by illness in their families.

Mr. LA FOLLETTE. I desire to announce the unavoidable absence of my colleague the junior Senator from Wisconsin [Mr. BLAINE]. I ask that the announcement may stand for the day.

Mr. NYE. I desire to announce the necessary absence of my colleague the senior Senator from North Dakota [Mr. FRAZIER]. I ask that this announcement may stand for the day.

Mr. McKELLAR. My colleague the junior Senator from Tennessee [Mr. BUCK] is unavoidably detained from the Senate for the day. I ask that this announcement may stand for the remainder of the day.

Mr. TRAMMELL. I wish to announce that my colleague the senior Senator from Florida [Mr. FLETCHER] is necessarily absent. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Fifty-nine Senators having answered to their names, a quorum is present.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have inserted in the Record a letter from Mrs. William Cumming Story, of New Rochelle, N. Y., in reference to the pending London treaty. It will be remembered that Mrs. Story is one of the most distinguished women of the land. For a long time she was president-general of the organization of women known as the Daughters of the American Revolution. That organization is known as one of the most patriotic, intelligent, and splendid organizations of women in the land. I warmly commend Mrs. Story's view on the treaty. Her history, her character, her ability, and her achievements give great weight to her opinion. I hope Senators may read her letter.

The VICE PRESIDENT. Without objection, leave is granted. The letter is as follows:

NEW ROCHELLE, N. Y., July 7, 1930.

Hon. KENNETH McKELLAR,

United States Senate, Washington, D. C.

DEAR SENATOR McKELLAR: Permit me to express my gratitude to you and my sincere respect and admiration for you in the wise stand you have taken in the matter of the London navy treaty.

I am sending the following letter to all our Senators I may be able to reach. I hope you will approve and that you will advise me if I can be of any service:

"As an American citizen and representing two national patriotic organizations, of which I am the president, also as an ex-president general of the National Society, Daughters of the American Revolution, and ex-president of two women's federation of clubs, I know the sentiment of many people and I assure you that there is in our hearts grave apprehension as to the decision of the United States Senate regarding the London navy treaty.

"We urge a delay in action on the part of our Senators and beg you to postpone acceptance of the treaty until it can be modified so that it continues to maintain the independence of our country and her right to fortify our naval strength.

"We are dependent upon your vote to maintain our independence and we beg that you will use the power conferred upon you to maintain a Navy equal to that of every other country."

Very sincerely,

DAISY ALLEN STORY
(Mrs. William Cumming Story).

Mr. McKELLAR. I also ask permission to have inserted in the Record an editorial which appeared in the Manufacturers Record of July 3, 1930. I can not state that I indorse what it says about the World Court, but I certainly indorse what it says about the treaty.

The VICE PRESIDENT. Without objection, leave is granted.

The editorial is as follows:

[From the Manufacturers Record, July 3, 1930]

We are about to celebrate our Nation's birthday. One hundred and fifty-four years ago, July 4, the United States of America was born. In the family of nations we are still only a youth, just coming into the fullness of life. One hundred and fifty-four years from the point of view of nations' lives is but a decade in the life of man.

Because of our national anniversary it is particularly fitting that we should at this time study thoughtfully two of the international problems now being considered by our Government from the point of view of America's traditional policy of noninterference in European affairs.

The London naval treaty, for which our representatives went abroad and on which they labored many weeks, presents one of these problems. Its purpose is to halt the struggle for supremacy in naval equipment without materially changing the present naval power of the world's great nations. Shall we ratify this treaty? Will our ratification be another step toward participation in European politics, and may it not lead to other relations more serious in their involvement?

Our proposed entry into the World Court will in time be debated in Congress. This is the second of these problems. Shall we as a Nation be a member of a World Court? With our national ideals and our national wealth can we do more to promote world peace as a unit in a judicial body or as a powerful and disinterested outsider whose desire for peace is unquestioned, and whose freedom of action is unfettered?

Are we as a Nation to continue to strengthen the traditions of the past and refrain from further European entanglements or are we to change our national policies and become involved in the endless turmoil of foreign politics kept active by age-old racial jealousies?

The Manufacturers Record believes that we should continue on the principles laid down by our forefathers, that we should develop them to meet present-day conditions, but that we should not discard them as obsolete and substitute for them policies dictated to us by political conditions abroad. Remember we are celebrating Independence Day. Let us, therefore, maintain that independence so that many more such days may be celebrated by our descendants.

Mr. BLACK obtained the floor.

Mr. ROBINSON of Indiana. Will the Senator from Alabama yield to me long enough to ask to have inserted in the Record an editorial from the Chicago Tribune of Monday, July 7, and indulge me still further to ask that it be read from the desk?

The VICE PRESIDENT. Does the Senator from Alabama yield for that purpose?

Mr. BLACK. I will yield to the Senator from Indiana for that purpose if the reading will not take very long.

Mr. ROBINSON of Indiana. It will not take very long to have the editorial read. I ask unanimous consent that the editorial may be read at the desk.

The VICE PRESIDENT. Is there objection to reading the editorial from the desk? The Chair hears none, and the Secretary will read, as requested.

The Chief Clerk read as follows:

[From the Chicago Daily Tribune, July 7, 1930]

THE SENATE IN SPECIAL SESSION

President Hoover has called the Senate in special session beginning to-day to dispose of the naval treaty. A number of the Senators are passing up the chore and already are off on vacation trips, but the administration expects to be able to muster the necessary vote and obtain ratification. The elder statesmen are tired, and the President is determined to avoid defeat on this issue. Senator JOHNSON, leading the minority, has presented a case against the agreement which will be hard to meet, but the advocates are not keeping to the naval argument. It is a State Department and not a Navy Department treaty.

When President Hoover and Mr. MacDonald had their first conversations the American Government was considering the American Navy. It is known that Mr. MacDonald prepared himself to make concessions to some American demands. They involved bases, big cruisers, and a balancing of battleship strength. The information which reached London concerning the Prime Minister's attitude revealed him as actually engaged in bargaining, and he was cautioned not to wade too far out in the Rapidan. Evidently he collected himself admirably and subsequently whittled down all of Mr. Hoover's ideas until next to nothing remained of them.

Proponents of the treaty can not show that any American naval proposals survived the London conference. The United States did not get a ship to equalize the advantage the British have in the *Nelson* and *Rodney*. The American delegates backed down on the big-cruiser issue, which was the principal one they were to defend if they were to carry out the wishes of the Navy and give the sailors a fleet with which they could guarantee the security of trade routes and overseas possessions. They accepted the British cruiser plan. They also reversed the decision of the Washington conference as to ratios and gave Japan increased strength. The ratio was based upon the American abandonment of far eastern fortifications. Japan's naval power was increased, but no consideration was given for it.

The agreement is not one which serves American naval purposes. It is not consistent with the avowed intentions of the conference. The opposition has pointed this out and has asked what are the purposes and there has been no satisfactory answer. Senator JOHNSON and his associates wanted the correspondence between the Governments but were told that the exchange, although containing nothing serious or important which was not known, would cause embarrassment if made public. The majority in the Senate seems to have accepted this explanation. There have been intimations that some of the dispatches contained references to persons thrown off without reflection as to how they would appear if made public and that it would be very embarrassing if the comments got out.

This may be true, and it may also be true that the American negotiators kept their intentions and their understanding with the British out of the record and in the back of their heads. It is still the fact that what makes this naval treaty acceptable has not been made known. The Senate, responsible for the treaty equally with the executive branch, apparently will not go far into the subject of intentions. It is taking Mr. Stimson's word for it that the treaty contains its own explanations and is sufficiently informative for a decision.

The right of the Senate to have all information pertinent to a treaty it is asked to ratify can be maintained with greater reason than can the administration position that essential documents can be withheld. Admittedly bad situations could be created by indiscreet Senators playing hob with state documents, but it is notorious that worse ones have been made by statesmen committing their country to obligations of which the country is ignorant.

Grey did this in his dealings with France before the war. He had been able to deny, with technical accuracy, before the blowup, that British obligations were involved, but a startled cabinet heard just before the war began that Great Britain was in-up to its ears and that France was justified in expecting support. Possibly Grey himself did not realize the full import of his negotiations at the time he was making his nation the ally of France, but he saw it when the crisis came. The only hope peace had in these fateful preliminaries was

that no nation should proceed upon a misapprehension of what was to follow, and some of them, notably Germany, did so proceed.

This pending treaty is a State Department treaty and not a Navy agreement seeking the best interests of the American naval protections. It could be the basis of an American and British naval alliance. That might be desirable, but it would not be properly covered in an agreement purporting to equalize British and American naval strength and not doing so. Americans would not want such an alliance covered by a false front and attaching the United States as an auxiliary. There must be inferences drawn from unexplained appearances. The American Government accepts British naval doctrines. The Senate is asked to do so without knowing why.

Mr. BLACK. Mr. President, it had not been my purpose to take any part whatever in the discussion concerning the pending treaty or concerning the resolution which has been offered by the Senator from Tennessee [Mr. McKELLAR]. However, the amendment proposed to the resolution by the Senator from Arkansas [Mr. ROBINSON], striking at the very vitals of the proposition involved, is of such importance, in my judgment, that I have concluded to make some observations upon the question at issue.

I do this by reason of the fact that the resolution offered by the Senator from Tennessee is practically copied from a resolution which was adopted and is a part of the records of the Committee on Foreign Relations of the Senate, and further on account of the fact that I originally in committee offered the resolution upon which the pending resolution is based.

In my judgment, the question involved here fundamentally transcends in importance the question of the treaty itself.

I voted in the committee for a favorable report on the naval treaty; I expect to vote for that treaty when the question comes up in this body. I shall vote, however, if a motion is made to that effect, to postpone a vote until the rights of the Senate as I conceive them have been recognized and respected by a subordinate department of the Government created by the Congress.

This controversy involves a question which is age old, namely, the conflicting rights and powers of the legislative and the executive. It goes even deeper than that; it is an attempt to whittle off on the part of the Executive one more legislative function; it is a step toward that which Alexander Hamilton sought in the Constitutional Convention and which all lovers of despotic government have always sought—a one-man power.

Of course, in this day, when we have yielded the power to tax, when we have yielded the power to apportion Representatives, when we have created bureaus to which we must appeal before we may offer legislation with any hope of passing it, it is rather strange and novel to object to any further encroachment by the executive department of the Government. I am strengthened, however, in the position I take on this question by a knowledge of the fact that the position is the same that has been advocated in these halls since the very beginning of the history of this Government by some of the ablest and most distinguished men who have sat in either branch of Congress.

It is not a new and novel fight. The issue came up in the Constitutional Convention. The first draft of a constitution which was presented, in an effort to get away from that which had been the tendency of past ages, did not give to the Executive of this Nation the slightest power with reference to treaties. Every draft from the first day of the opening of that notable convention until the last days had arrived, including the report of a constitution by the committee on detail, left to the Senate of the United States the exclusive power to consider and make treaties for the people of this country. The President was not given authority to make war. He was made Commander in Chief of the Army; but he was not given the power to create an army, nor to pay an army, nor to say how many men should be in that army. It was only in the closing days of the convention that there was any serious effort made to intrust the President with any part whatever in the making of treaties.

I call attention to the fact that nowhere in the Constitution does it appear that the President was given the right to negotiate treaties. No such phrase appears in that document, but the President, with the advice and consent of the Senate, was given the right to make treaties.

The issues in this matter are very simple. It is not a question of publicity; it is not a question of whether or not certain information shall be given out to the people of the United States; but the issues as I have framed them in my own mind are simply these: The right of the Senate to inspect papers and documents on file in a department created by Congress concerning preliminary instructions and communications touching the making of a treaty. The making of a treaty is a constitutional part of the functions of the Senate.

Next, is that right an absolute right or a permissive right? In other words, does the Senate have that right, or does it have

a bare and useless privilege which can be accorded it only by the grace and by the courtesy of the head of a department created by Congress?

Is it necessary, if the Senate does have this right, for the Senate to approach the head of a department created by the Houses of Congress with hat in hand, and beg the privilege of looking upon the public files contained in an office supported by appropriations made by Congress as the representatives of the people?

Are these documents relevant and pertinent in the consideration of the final action of the Senate, and does the Senate have jurisdiction of the subject matter?

If the Senate has the right to call for such relevant and pertinent documents from a department created by Congress, does the head of the department have a discretion to decline to submit them to the Senate? Of course, it is readily seen that if the head of the department has this discretion to decline to submit them to the Senate upon its call, the head of the department is supreme; and the Senate, in so far as its constitutional functions are concerned in the consideration of this subject matter, is inferior to the head of the very department created by the acts of Congress.

Next, if the head of the department is not invested with such discretion, is he authorized to deny the Senate's direction for the delivery to it of material and pertinent documents on file in his department because the President informs him that the delivery of such documents to the Senate is not compatible with the public interest? That is another one of the issues.

Next, who is vested with the authority to determine the pertinency of such documents—the Senate or the head of the department?

Of course, if the power to determine the relevancy and pertinency of the documents shall be left with the head of a department created by Congress, the head of the department is superior to Congress; he is superior to the Senate; and, in the final analysis, he is the one to determine whether or not evidence which is concededly relevant and pertinent for the performance by the Senate of a constitutional function shall or shall not be delivered to that body.

Those are the issues.

The camouflage with reference to publicity has nothing to do with the matter. It is wholly disconnected from it. It is an insult to the Senate of the United States to say to this body, "We have evidence which is relevant and pertinent. It could be used by the Senate to reach a fair and just conclusion in regard to a duty resting upon it by the sacredness of the Constitution itself; but we will withhold those documents from you because of the fact that perchance, if you receive them, you might give them publicity." So in that case we get down to the issue whether the Senate is to determine what is pertinent, and what shall be its action with reference to pertinent and relevant evidence, or whether in the last analysis that conclusion is to be reached finally and irrevocably by the head of a department created by the acts of Congress and dependent upon Congress for its perpetuity.

I realize that the thought probably comes into some one's mind immediately that the Secretary of State, as a member of the Cabinet, is not the head of a department; but the Secretary of State is at the head of the Department of State. The Department of State is created not by the President but by the Congress. The appropriations for the Department of State go not from the President but from the Congress. The regulations and rules prescribed for the Secretary of State in the performance of his duties, the laws governing him, go not from the mouth of the President, but they are acts of the Congress of the United States. So there can be no escaping the conclusion that the Secretary of State, as the custodian of the public documents entrusted to his care by law, is responsible to the Congress of the United States for the performance of those duties.

Therefore it is not a sufficient answer for the statement to be made that "upon the voice of the President, upon the expression of his will, I will withhold from the body that created me, intrusted with sacred constitutional functions, documents intrusted to me under the law, and which are necessary for the performance of public duties by the Senate of the United States."

That has been tried in a number of instances. It was tried many years ago in one of the Southern States; and at that time a strong and able judge appointed by the President announced the doctrine that no man could excuse himself for the performance of some act that was not in conformity with law by seeking to do so behind an order of the President of the United States.

The President of the United States is not the custodian of the files kept in the Department of State. The President is an executive officer. The writers of the Constitution were very

careful to see that he remained such. They gave him no power to regulate national commerce. They gave him no power to coin money. They gave him no power to make war. Up to the very last two days of the convention they did not even agree to give him a partial power with reference to making treaties. It was intended that he should be an executive officer. That is a strange doctrine to-day, perhaps, when daily we see in the public press statements that the President was appealed to for the passage of a law; that the President dictated what law should be enacted; when there are sent daily from the committees of both Houses of Congress to the Director of the Budget plaintive pleas, accompanied by personal calls from Members of both bodies, asking that he put his majestic approval upon legislation which is proposed to be enacted by the representatives of the people.

There has not been a time in the history of the United States Senate when it has receded from the viewpoint that it was entitled to have, from the head of any department of this Government, any document, any evidence, any writing, any communication which was on file in that department and which it was believed was relevant and pertinent for the consideration of this body in connection with its action upon public affairs.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from California?

Mr. BLACK. I yield to the Senator.

Mr. SHORTRIDGE. I gather that the Senator contends that the Secretary of State has no right to withhold pertinent, relevant papers, documents, or information bearing upon the subject matter before the Senate—namely, the proposed treaty. Will he have the goodness to take note of the form in which this resolution is drawn? It is not a resolution calling upon the Secretary of State to do something, but it is a call or a request directed to the President of the United States.

Mr. BLACK. That is correct. When resolutions have been passed in the Senate they have invariably, when referring to the President, been requests, but when referring to the Secretary of State they have just as invariably been directions. They are made requests to the President for a very obvious reason. It is not contemplated that the head of an executive department would be willing to encroach upon the rights, the functions, and the duties of the United States Senate. The Supreme Court of the United States has not hesitated heretofore to express itself upon conflicting ideas between the executive and other branches of the Government, not with the idea that the Supreme Court could send soldiers to clash with any soldiers that were under the control of the President, but with the idea that when the Supreme Court of this land had spoken and announced its doctrine the President of the United States would yield to the authority of the highest court of the land.

Of course, there have been other countries where the king's guard were there to protect him if he sought to encroach upon some other department of his government, but in this country it was not deemed necessary. So requests to the President go to him in the form of requests; and since the Secretary of State, the head of the Department of State, has sought refuge behind the direction of the President, it is assumed that if this body, in the exercise of its duly constituted rights, calls upon the President and makes a request he will heed it.

I call attention to the fact that in the most heated controversy that has occurred in this body with reference to the right of the Senate to have documents which are on file in the department there was a unanimous vote after three weeks of continuous debate, both on the part of the majority party and the minority party, to the effect—and it was stated in no uncertain terms—that every document, every communication of any kind whatsoever, that was deemed to be relevant and pertinent in the performance of a jurisdictional function by this body must come to this body. In that case the statement was made by the Secretary, at the direction of the President, that the President did not deem it to be compatible with the public interest to send to this body the documents that were requested. I call the attention of the Senator from California to the fact that some of the most distinguished Members of this body that his party has ever had in all of its history took a very prominent part in that discussion.

The Senator from Wisconsin, Mr. Spooner, Senator Evarts, Senator Hoar, Senator Edmunds, chairman of the Judiciary Committee, and various others that I might name, took a prominent part in that debate. On the Democratic side, prominent members of that party participated. It was conceded, however, that there was only one question at issue. Even though the President had directed the Secretary of State to say that it would not be compatible with the public interest to furnish the documents in question, the issue was this, and this alone, and it was upon that issue that the division occurred: Was there

jurisdiction in the body to investigate the subject upon which the resolution was based?

Both the minority report and the majority report of the Foreign Relations Committee started out, in the very beginning of the discussion of those documents, and said that they conceded that they wanted it expressly and distinctly understood that this body had a right to demand any document, any file, any communication that might be in the office of a department of this Government, if it was with reference to the consideration of a subject of which this body has jurisdiction.

The contest revolved around this point: A district attorney had been removed in the State of Alabama. Under the tenure of office act, it was held by one of the sides to the controversy that the Senate had a right to investigate in order to determine whether or not the removal was justified. The other side to the controversy took the position that the Senate had no such right. Their position, of course, has been justified by a later decision by the Supreme Court of the United States. But there was a unanimous opinion expressed by both Republicans and Democrats, some of the most distinguished who have ever sat in this great body, to the effect that if there was jurisdiction of the subject matter in the Senate of the United States, they were entitled to bring forth every document, every paper, every written communication of any kind relating to the subject, in order that they might intelligently perform their duties. There was no question about that.

I shall read to the Senate a little later a part of the reports, both of the minority and the majority. That position was taken in face of the fact that the Secretary sought to shield himself behind the statement that it would not be compatible with the public interest to turn over those documents to this body. At that time there was a unanimous opinion of the Senate. So far as I can find, that unanimous opinion has never been reversed.

Of course, it may be that now, as I have stated, at a time when the legislative bodies have yielded inch by inch and have surrendered step by step, when they have gone closer and closer to the point of impotency, when they can not legislate without the permission of the Director of the Budget, when they can not pass a tariff unless certain ones have their way, when they can not raise taxes for the public until a commission created by Congress shall say so, when they have reached the point when they are willing to turn over to the President the right to fix the number of Representatives who shall be sent from the States of Alabama, California, and New York, when they have yielded on every conceivable point and advanced along the Hamiltonian pathway of concentration until it seems that the old idea of the fathers of this country has been completely abandoned, I repeat that it may be novel to expect that we should to-day follow the unanimous course which was adopted by this body in 1886.

Mr. President, I deny, in the first place, that the Constitution anywhere says that the President has the exclusive right to negotiate treaties. That can not be found in the document. The President evidently did not think so when he selected two Members of this body to go to London to act in connection with this very treaty. The President evidently has not thought so down through the years, as he came to the members of the Foreign Relations Committee and other Members of this body and sought their advice and council before he entered into negotiations, both as to entering into negotiations and as to the form and provisions which were later to be embodied in the treaty.

The first President of this Government evidently did not think so when he came up and sat in the council chambers of the Senate in order that he might consult with Senators and receive their advice upon the form and nature of treaties.

Another President, John Quincy Adams, evidently did not subscribe wholeheartedly to that doctrine when he, at a later date in the history of this country, upon a request, sent for the scrutiny of the representatives of the people every instruction, every letter, every communication, even from the Secretary of State to the President, outlining the object and purpose of a treaty that was being negotiated.

That evidently was not the thought of those who drew the Constitution itself, judging either from the language which appears in the document or from the history of the provision with reference to treaties. The first draft, provided by Mr. Pinckney, gave the treaty power to the Senate and not to the President. The other early drafts gave the authority to the Senate and not to the President. The only member of the Constitutional Convention who, up to the closing days, ventured even to suggest that the President should have the slightest voice in the making of treaties was that great apostle of concentration of government, Alexander Hamilton, and he did it in these words:

The President was to act upon the advice and with the approbation of the Senate.

"Upon the advice and with the approbation of the Senate." That was ignored. Mr. Pinckney came in with a draft which said:

The Senate shall have the sole and exclusive power to make treaties.

The committee on details reported that—

The Senate of the United States shall have power to make treaties.

Mr. Madison, in discussing this article, said that the Senate represented the States alone, and that for this, as well as other obvious reasons, it was proper that the President should be an agent in making treaties, and thereupon, in the closing days of the session, near the end of the fourth month, there appeared the present provision in the Constitution. Furthermore, there is no provision as to the time when the advice and consent of the Senate shall be given.

The question arises, Did they intend, when they wrote Article II, section 2, paragraph 2, to say to the Senate, "The President shall do everything of a preliminary character, shall negotiate the treaty, shall complete it, shall return it to the Senate, and the sole and exclusive province of the Senate shall be to say 'yes' or 'no'?"

If they had intended that, they could easily have said so. But they did not say that. They said, referring to the President:

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

It is attempted to make "advice and consent" read "ratification," but that is not what the Constitution says. It says:

He shall have power, by and with the advice and consent of the Senate, to make treaties.

How is a treaty made? How do we give counsel and advice? Do we wait until action is taken? Do we wait until a conclusion is reached? Do we wait until there is nothing left to be done, when the last word has been spoken and when the last sentence has been written, and then appear to give our advice and counsel as to how a matter should have been handled in the past?

The Constitution says the President shall have power, "by and with the advice and consent of the Senate, to make treaties." It is very clear that those who wrote that article knew what they were talking about and knew what their words meant, because immediately following that they said:

He shall nominate, and, by and with the advice and consent of the Senate, shall appoint.

In other words, they divided the proposition of nomination from the proposition of appointment, but there was no division attempted with reference to making treaties.

Bearing in mind that the whole background for the making of treaties was that it should be done by the legislative body; bearing in mind the fact that the Continental Congress itself had the exclusive right to make treaties; bearing in mind the fact that the framers of the Constitution were seeking to get away from one-man government, in which men with regal and princely power negotiated foreign treaties, we find the framers of the Constitution carefully and cautiously moving forward to a proposition, as one of them said with reference to a discussion in the final days, where they would place responsibility with the President and would get security from the action of the Senate. In other words, the reciprocal, common rights of the two branches, the executive and the legislative, were intended to be presented by this great document. It was never contemplated that one branch would feel that it had the absolute right to proceed without the full advice and consent and sanction of the other.

Of course, one can do that. The President can proceed to negotiate and send a treaty to the Senate without a word to a single Senator. He could ignore the rule which is the rule today, that there shall be preserved in this body a seat for the President of the United States. That has been the rule of this body since the very day when Washington came to consult with the Senate with reference to making treaties. The President can ignore all of this and he can bring the document completed to this body, and he can say, "Here, like an automaton, you take it as it is written, or you reject it." He can follow the policy which has become so strongly entrenched in a body at the other end of the Capitol and say, "Take it as we measure it out for you, or leave it."

The Senate can do likewise. The Senate can arbitrarily, and without cause, simply by reason of any whim or caprice which prompts this body, pigeonhole a treaty which is sent here, and decline to consider it. Both branches are given reciprocal and common rights, but both can act, if they desire, completely in-

dependently of each other. But that was not what was contemplated. If it had been contemplated, it would not have been stated as it is in the Constitution.

Therefore, Mr. President, so far as any of the negotiations leading up to the treaty are concerned, based upon the proposition alone that treaties shall be made by and with the advice and consent of the Senate, I say that this body has jurisdiction to determine upon a treaty, and it has the right to all of the evidence which entered into the negotiation and the drafting of that treaty.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER (Mr. GOLDSBOROUGH in the chair). Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. BLACK. I yield.

Mr. McKELLAR. In the very nature of things, how in the world can the Senate advise the President as to a treaty without knowing all the facts? It is absolutely impossible for the Senate to advise the President properly without having all the facts before it.

Mr. BLACK. That is correct, and I see no reason for some of the insinuations which have been made that it is an intrusion upon the sacred rights of the Executive. According to my information, the Executive does not hesitate to advise individual Senators. I have heard that he does not hesitate to recall them from their beautiful honeymooning trips, bringing them back from the isles of the sea in order that they may follow his advice. So why should the Senate suddenly grow sensitive about the question as to what are its functions with reference to advising the President?

Mr. President, I claim also that whether the Senate has anything to do with the preliminary negotiations of a treaty or not, whether the President was right or wrong when he selected two distinguished Members of this body to participate in negotiating this treaty in order that we might obtain their counsel and advice, and conceding that the President was wrong in that action, merely for the purpose of the argument, I claim that when we come to consider the treaty we have a right to every particle of the evidence which may throw light upon the circumstances surrounding it at the time it was entered upon and which may be helpful to Senators in reaching a fair and honest and just conclusion as to whether we shall vote for or against the treaty. That is a fundamental rule of evidence.

There is a great difference of opinion among Senators as to the meaning of certain clauses of the treaty. Some claim that they are ambiguous, that they are uncertain, that they are not clear in their meaning. It is a rule of law which is as old as the common law itself that when there is the slightest ambiguity with reference to a contract the parties can go back and search the records for what was said, for what was spoken, and for what was written, in order that a just and fair conclusion may be reached as to the intention of the parties. Can it be true that a rule of this kind can be applied to determine whether or not one citizen owes another \$30, can it be true that a rule of this kind can be used in order to determine who owns 40 acres of land, and yet when this body is called upon to pass upon a treaty affecting the safety, the security, the lives, the comfort, the happiness, the prosperity, and the hopes of a great nation that those who are to reach the conclusion are to be denied the simple privilege which is extended to the man who has a contract involving \$30?

I deny that any such rule exists. I deny that there is any potentate in this country with such princely and regal prerogatives that he can say to the Senate of the United States, "It is not compatible with the public interest for you to be supplied with the evidence which you believe you need in order to reach a conclusion on a treaty affecting the life of the Government under which you live."

So, Mr. President, I assert, and I do not believe it can be successfully refuted, that the communications, the documents, the written evidence of all kinds and all character which might throw light upon the circumstances which brought about the making of this treaty and which gave it birth are relevant and pertinent as evidence to be considered by this body before it reaches a conclusion as to whether it will approve or disapprove the treaty.

Going a step further, I assert this principle, which I believe can not be denied; it certainly can not be denied without admitting that the creature itself is greater than its creator: The Department of State was created by act of Congress. It could be abolished to-day by the Congress. Every particle of authority it has could be taken away from it by the two bodies of Congress with the approval of the President, and if he disapproved it could be done over his veto with a two-thirds vote. Therefore the Department of State is a creature of this body. If a question comes up as to any irregularity there, for instance, we have

the right to call for the files. They are kept under authority of law for the convenience of the Government and for the use of the representatives of the people in the performance of their duties.

Therefore, when these documents are placed on file in that office they are subject to the call of this body. If they are not, then what would be the situation? If the head of the department can shield himself by stating that the President has directed him, he can do it in another. If an irregularity was thought to exist in the accounts of some member of that department and this body should seek to obtain the evidence, if the rule which is sought to be invoked here is correct, all that would be necessary for that official to do would be to say, "It would not be compatible with the public interest to turn over these papers," and in that way carry out still further the growing power of bureaus, their greedy absorption of power. The hands of the people would be tied and their representatives would be helpless to avenge their wrongs. I deny that there is any department in Washington which has grown so great and which has fed upon such political food that it has reached such towering proportions that it is greater than the creator which gave it life.

Mr. President, I want to invite the attention of the Senate to what a President said back in 1826 with reference to documents. The Government of the United States was invited to send delegates to participate in the meeting in Panama. A request was sent to President Adams, or perhaps it went to the Secretary of State, for certain papers and documents. Here is what he said on December 6, 1825. He did not concede and he did not deny the power of Congress, but he complied with the request. He said:

In the message to both Houses of Congress at the commencement of the session it was mentioned that the Governments of the Republics of Colombia, of Mexico, and of Central America had severally invited the Government of the United States to be represented at the Congress of American Nations, to be assembled at Panama, to deliberate upon objects of peculiar concernment to this hemisphere, and that this invitation had been accepted.

In other words, this President, so far from being resentful of an effort on the part of the Senate, thought it was perfectly proper not only that the Senate but the House should be notified in advance. He said:

Although this measure was deemed to be within the constitutional competency of the Executive, I have not thought proper to take any step in it before ascertaining that my opinion of its expediency will concur with that of both branches of the Legislature; first, by the decision of the Senate upon the nominations to be laid before them; and secondly, by the sanction of both Houses to the appropriations, without which it can not be carried into effect.

A report from the Secretary of State and copies of the correspondence with the South American governments on this subject since the invitation given by them are herewith transmitted to the Senate. They will disclose the objects of importance which are expected to form a subject of discussion at this meeting, in which interests of high importance to this Union are involved.

Then he proceeded to tell what his plans were, what hopes he had, and after that he submitted to them nominations to fill the positions. That was the way President Adams considered it.

I desire now to call the attention of the Senate to a part of the debate which occurred in this body in 1886 when the Senate unanimously, without one single dissenting vote, repudiated the idea that hiding behind the words "if not incompatible with the public interest" would shield the department from turning over papers which were admissible and relevant and necessary for the performance of the jurisdictional functions of this body. In that matter, as I stated a few minutes ago, was involved a question of the removal of a district attorney. I should like to invite attention to a paragraph in the speech of Senator Bacon in 1901 because it happens to refer to a statement of the then Senator from Arkansas, Mr. Jones. Former Senator Bacon said:

I say here is a clean-cut proposition, without any ambiguity, that in all cases, and in every case, the question whether either branch of Congress has the right, as a matter of right, to information to be found upon the records and files of the departments, as a right of each House of Congress, is an unqualified constitutional right, or whether it is a permissive right, to be enjoyed by the consent of the chief of the department. Yes; as a matter of courtesy, as the Senator from Arkansas, Mr. Jones, suggests to me.

Going farther with the debate we find that the report was made by the majority of the Senate, and I invite the attention of Senators on the other side of the Chamber particularly to

the fact that on the Republican side not a single vote, so far as I can find, was cast against the proposal. I invite attention also to the fact that the RECORD shows that no resolution ever came up in this body during the tenure of office of Senator Sherman "requesting" information to be sent from any department that he did not rise and ask that the word "requested" be changed to the word "directed" or "instructed." It has been the uniform system not to beg, not to be suppliant, but to ask and direct that the rights of this body should be respected. Here is what the majority said:

The important question, then, is whether it is within the constitutional competence of either House of Congress to have access to the official papers and documents in the various public offices of the United States created by laws enacted by themselves. It may be fully admitted that except in respect of the Department of the Treasury, there is no statute which commands the head of any department to transmit to either House of Congress on its demand any information whatever concerning the administration of his department, but the committee believes it to be clear that from the very nature of the powers intrusted by the Constitution to the two Houses of Congress it is a necessary incident that either House must have at all times the right to know all that officially exists or takes place in any of the departments of the Government.

At the time this report was filed it was in reply to a statement made that the President of the United States considered it to be incompatible with the public interest to turn over the papers for which the Senate had asked.

Mr. McKELLAR. May I ask the Senator from Alabama who was the chairman of that committee?

Mr. BLACK. The chairman of the committee was Senator Edmunds. Senator Hoar was a member. Here are the names of the Republican Senators who made the report: George F. Edmunds, chairman; John J. Ingalls, S. J. R. McMillan, George F. Hoar, James F. Wilson, and William M. Evarts.

I am wondering if it is true that those who claim to be the direct lineal party descendants of these men whose voices have so often been heard in the hall of this body are now ready to repudiate the doctrine announced by their leaders because perchance it fits the call of party expediency to-day? Have the principles changed? Has the Constitution been amended? Have the functions of the departments been broadened beyond the constitutional limits? Have the rights of the Senate been restricted by legislation? Not at all. But the very arguments which were advanced by these men at that date are more forceful and should be more forceful to-day than they were when they were spoken, because then this vast power had not begun to center to such a large extent so as to make this a 1-man Government. There had not then been created, as has since been done, largely by the influence of the forces of special privilege throughout this country, a sentiment that the President alone can be trusted.

Mr. President, there is nothing in the simple act of electing a man to the Presidency that makes him a creature of infallibility. His election does not endow him with superhuman traits; it does not relieve him from the common frailties of mankind. Those who wrought when this Constitution was made, realizing the fact that it would never be possible to secure a man who would rise above the common frailties of all mankind, or the grasping avarice for power, attempted to place checks on him and to make the legislative branch of the Government the dominant, superior power because it was filled by representatives fresh from the masses of the people of the country. But there is growing up to-day a decided sentiment and a clearly expressed desire, and I fear that that desire will cause the party descendants of Evarts, of Hoar, of Edmunds, and of the other great men whose names I have mentioned, to depart from those principles, because they have been impregnated with the doctrine, so cautiously expressed by ex-President Coolidge, whose words are daily seen on the front page of the Washington Post, of the perversion of legislation by reason of the direct election of United States Senators by the people, whose mandates they are supposed to carry out.

If Senators on the other side of the Chamber are true to the principles of those men who led their party in the days of its infancy, who founded and who molded its sentiments, and who gave it the power which has extended on into the years, they will never cast a vote in this body which may be construed as expressing the belief that the Senate of the United States occupies a position of inferiority to the President in the consideration of treaties affecting the life of this Nation.

What else could a refusal to adopt the pending resolution mean? If it be true that we are to take things on faith, if the time has arrived when at the mere ipse dixit of the man who happens to be in the White House the Senate is to close its eyes to truth, is to forget principle, and is to act merely under

the party lash, then indeed is the doctrine of Hoar, of Edmunds, of Evarts, and the unanimous vote of the Senate which pass upon this question repudiated. I am free to confess that when the Senate does take that stand, and does abandon the prerogative which is given it in the Constitution, there will be more room for the argument made recently by Mr. Coolidge.

Let us see what those men said. Here is what the minority said. Remember, the minority held that the particular papers then in question did not come within the jurisdiction of the Senate; but to show how strong they were in their views, listen to these opening words:

The minority admit, once for all, that any and every public document, paper, or record on the files of any department or in possession of the President relating to any subject whatever over which either House of Congress has any grant of power, jurisdiction, or control under the Constitution is subject to the call or inspection of either House for use in the exercise of its constitutional powers and jurisdiction.

Furthermore, I desire to call attention to the fact that the majority members who made their report stated that on a careful investigation of the history of the civilized countries of the world they had not found one single, solitary instance in which a government, not an absolute despotism, had gone to the extreme of saying that the legislative branch of the government was not entitled to the documents necessary to enable it to pass judgment upon the question at issue.

That is the situation which we face. While the Members of the other side of the Chamber are not honoring me with their presence to a very large extent, of course, I would not assume that they have already decided as to how they will vote upon this question. Of course, I would not assume that they would follow the advice of the President, when we are not willing to give the President the advice which the Constitution says we should. However, I desire to put into the Record, so that the issue can not be evaded, some of the statements made by the distinguished leaders of their party on this identical question. Here is a statement made by former Senator Spooner, of Wisconsin, a man of erudition, a man of legal attainments, a man with a keen analytical mind, a man who left his mark and his imprint upon the legislation of this country at the time when he occupied the position of Senator.

Look at the bald case as it stands before the Senate and before the people—

Says Senator Spooner—

unaided by the message which the President sent upon the same subject, and which is in some sense an additional statement of fact. The Senate calls for certain papers, filed within a given period in a public department, touching the management of a public office.

That is what the Senate has done here—no more and no less.

An executive officer of the United States, recognizing the fact that the papers are in his custody, not denying for a moment their existence, says to the Senate by direction of the President, "It is not considered that the public interest will be promoted by a compliance with said resolution and the transmission of the papers and documents therein mentioned to the Senate in executive session."

That was the statement made by the then President, as referred to by Senator Spooner. I challenge any Senator of the opposing party to stand on his feet now or when he comes in here to vote, and deny the ability of Senator Spooner, his knowledge of constitutional law, and his great attainments as one of the leaders of the Senate in his day and generation. Senator Spooner continued:

Is it to be admitted that a Cabinet officer, even by direction of the President, shall be at liberty to refuse to transmit any papers to the Senate in executive session unless satisfied that the purpose for which the Senate desires them is one which in his opinion is wise and proper? Is it to be assumed by an executive officer or by the President that because a nomination is pending in the Senate of a person to fill an office that the Senate may not in executive session lawfully call for the papers filed in a department touching the conduct of the office?

It has always been supposed—

Says Senator Spooner:

That either the House of Representatives or the Senate had plenary power to investigate the departments, had abundant authority to examine the Cabinet officers, even to bring them before the committee, with all the papers in the office which would tend to show its condition and the manner in which it had been conducted. It may be done in order to expose corruption; it may be done in order to uncover defects in the organization of a department; it may be done in order that Congress obtain the information essential to the application of a corrective by new legislation. Such power in great fullness must of neces-

sity exist, to be exercised under varied conditions and circumstances and with many different purposes.

Is this not the attitude?

Says Senator Spooner:

The President, not denying that there may be circumstances under which either the House or the Senate would be entitled to such papers, to demand them and compel their production, assumes that they are wanted for a purpose which in his judgment is not within the jurisdiction of the Senate.

Then Senator Spooner proceeds to assert in clear terms the right of this body to have the papers, irrespective of the fact that the President, as one individual, may lean to the opinion that to furnish them would not be compatible with the public interest. Has the time come in America when one man, who by chance is President, has become so great, in his judgment, that he and he alone is capable of passing upon what is to the best interests of the people of the United States? Is it true that the Members of the Senate have reached a stage when they will admit that they are not capable of determining for themselves whether these papers should be given to the public for the public's interest?

With a growing suspicion aroused in the minds of the people of the United States as to the contents of the documents which are withheld contrary to precedent, contrary to principle, and contrary to constitutional law, shall that suspicion be allowed to continue, or shall the Senate of the United States, exercising the power which is given to it by law, assert for itself the legislative function and the functions of office with which it has been intrusted by the makers of the Constitution in this country?

Here is what Senator Spooner said—and I should like for those Republican Senators who are going to vote against his position and against the unanimous opinion of every member of their party to read this to-morrow if they happen to be here after they vote—

I assert now the proposition that the Senate has the right to obtain of a Cabinet officer upon demand, and of the President upon request, such information to enable it to act intelligently upon the question as to whether it will advise and consent to a proposed removal.

Now let us see what the others said. Mr. Evarts quotes the minority report with approval in which they assert that once and for all they claim for themselves the privilege of having all documents and papers relevant and pertinent to the proper performance of their duties.

Then Mr. Evarts says:

Who is to determine, in the first place, that on a topic which the Senate has to do it has a right to the inspection and use of papers in the departments, but it has no such right when the Senate can not possibly touch or deal with any subject matter to which those papers relate? Who is to determine, in the first instance, that the Senate may or may not explore and make use of papers that are on file? Certainly the Senate is the judge of that.

However, if we amend the resolution which has been proposed by the Senator from Tennessee, we state to the Executive of this Nation, "You"—and as a matter of practical experience we know that means the subordinates of the President—"are hereafter given the privilege of withholding any paper which you or your subordinates desire on the ground that you believe its submission to be incompatible with the public interest."

Where do we stand then? Charged with the duty of passing upon treaties; denied the privilege of seeing the papers which President Washington thought the Senate should have; denied the information which President Washington gave the Senate; denied the information which President Adams gave the Senate; denied the information which Jackson and Jefferson gave to the Senate; but now, forsooth, the office of the Presidency has risen so high, his powers have become so great, that the Senate stands like a helpless babe and says, "Will you please let me have those papers which I need to consider this treaty, if you think it is all right for me to have them?"—going up with hat in hand, bowing as men bowed before the old Persian monarchs, and requesting, in humble and suppliant tones, the privilege which the Senate has exercised from the very beginning of its history, which was bestowed upon it by the fathers who wrote the great document which is the charter of our liberty.

If it be true that that time has come, then it is very unfortunate that Mr. Madison, the great exponent of democracy, in his desire to be extremely cautious in the consideration of treaties affecting the foreign affairs of this Nation, persuaded the Constitutional Convention in its closing hours to provide that the President should have something to do with treaties.

If we have reached that point it is true that Hamilton, though dead, is marching on with his principles of concentration of

power. It is true that those exponents of the political philosophy that the best way to have good government is to place much power in the hands of one man are about to see their political principles and beliefs immortalized by the United States Senate.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. BLACK. I yield to the Senator.

Mr. McKELLAR. Of course, the Senator recalls that the Mr. Hamilton about whom he is now talking is the same Mr. Hamilton who wanted to have a government with a king, with Senators elected for life, and Members of the House elected for seven years each.

Mr. BLACK. Why, at the very time that Mr. Hamilton proposed that the President be given the treaty-making power he had a proposal to give him the place for life; and correspondence shows that the only reason why he had not dared to propose that this lifetime place descend from generation to generation was because he knew that the sentiment of the men who were fresh from victory over the redcoats of Great Britain, where they had fought in order that they might get away from 1-man rule, would not tolerate a return to the old principles of despotism and monarchy.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama further yield to the Senator from Tennessee?

Mr. BLACK. I yield to the Senator.

Mr. McKELLAR. The Senator will recall also that the same Mr. Hamilton, when he made his speech proposing a kingly form of government, and when it was frowned down by all of his colleagues in the Constitutional Convention, left the convention and stayed away for six weeks, and returned only a short time before it completed its deliberations.

I want to say for Mr. Hamilton that afterwards he did agree to the Constitution as adopted, but when his kingly form of government was rejected by the convention he left the convention in a huff and anger and stayed away for six weeks.

Mr. BLACK. It is perfectly proper, perhaps, that those who now claim to be successors to the Hamiltonian idea should be willing, even at this late day, at a time when they seem to think the pendulum has swung in their direction, to attempt to yield up more power to the President. They trust the President. This is no attack upon the President. It is no assailing of the individual who holds the office. It is simply a part of an age-old conflict between the believers in a government of, for, and by the people and those who believe in control of the people by one or a few.

Mr. McKELLAR. Mr. President, will the Senator yield further?

Mr. BLACK. I yield to the Senator from Tennessee.

Mr. McKELLAR. And it may be asserted in another way that it is the assertion of a right that the Senate has under the Constitution.

Mr. BLACK. It is.

Mr. President, those who desire to give the President power because they trust the present incumbent should remember that Presidents change from term to term. History shows that sometimes they are selected in smoke-filled rooms in the closing hours of the morning by seekers of special privilege who desire to loot and plunder the Nation. They should also remember that it may be true that sometimes a man is selected who is not capable, mentally or morally, of withstanding the strong forces that would have him wrest power from the hands of the people. Yet to-day, as the powers of the President have increased, as a word from the President with reference to legislation will raise or decrease the prices of stocks in the markets of the world, as a word from the President may be sufficient to bring about the passage of legislation or to defeat legislation, still some would give him more power.

Not content with what he has, some say, "Let it continue to flow. Let this power continue to be centered in the hands of the President. Let the Senate stand helpless, with the key turned upon the documents needed to aid Senators in the performance of their duty. Lock from public gaze the public documents. Treat the public business in secret. Hide from the eyes of the people of the world the facts which have brought about the making of a treaty under the Constitution. Shield it as though it contained all the treasures of the ancient world. Let us not add," they say, "to this idea of publicity. Let the business of the public be more and more transacted in secret. Let the secret diplomacy of the past be excelled by the secret diplomacy of the future."

Mr. President, one of the things the people of the world have desired to escape from is the thralldom of secret diplomacy and

secret agreements. For centuries around the neck of the plain, average citizen there has been clasped a rope of secrecy. Nations have entered into agreements, and in a flash a war has started that swept like a prairie fire over the whole world. Why? Secrecy—secrecy.

Mr. President, letters ought not to be written between nations which the President can not turn over to the Senate. If the turning over of those papers to this body did nothing more than proclaim to those who negotiate foreign affairs in the future that the Senate wants things done in the open, it would have accomplished a good purpose. It would be a step toward those days of peace which have been heralded throughout the land. But, forgetting the idea of "open covenants openly arrived at," we stand here to-day facing the probable passage of a resolution which would deny this body the right to receive papers necessary for the exercise of its judgment unless the President of the United States, powerful potentate that he seems to be, places the stamp of his approval upon the papers coming to this body.

Mr. McKELLAR. Mr. President—

Mr. BLACK. I yield to the Senator from Tennessee.

Mr. McKELLAR. What the Senator says about secrecy is exceedingly timely. The Senator will recall that now, after years of fight on the part of some of us and finally on the part of a majority of us, the Senate conducts purely domestic affairs in public. Why should not the same principle be extended to the conduct of international affairs? The same principle prevails. The same policy ought to prevail. We ought to conduct the people's affairs, whether they relate to international business or domestic business, absolutely under the public gaze, in pursuance of the policy we have already adopted in regard to domestic affairs.

Mr. BLACK. I agree with the Senator thoroughly that one step toward the abolition of war is open agreements openly arrived at. That does not mean that if these papers should come to the Senate, the Senate necessarily will do something that will injure the public. Senators here, I assume, will be conscientious in the performance of their duty. Are we to believe and act upon the assumption that if these papers come here Senators will be so heedless of the public welfare that they will turn loose for public information something that will destroy the peace and good will of the Nation? Has the time come when we are willing to admit that?

Mr. President, this question is simple. Under the Constitution we are given the authority to consider this treaty.

Under the law these facts are pertinent and relevant. Under the law we have a right to determine whether or not we shall have them. Will that right be surrendered at the instance of the President? Will it be yielded by men who blindly follow wherever party leads them? Will it be yielded because the word has been heralded abroad that another great achievement of the President is in the process of the making? Will it be yielded because, forthsooth, in the coming elections it may be said that another great victory has been won?

It makes no difference who is the President, whether he be Democrat or Republican, principles are eternal. They do not change with the passing of administrations. This principle is as old as the fight over free government itself. It is, in its final analysis, a question of preserving the rights given by the people to their own chosen representatives.

This is no effort on my part to delay the consideration of the treaty. As I stated in the beginning, I voted for it in committee, and while I stand here to uphold the constitutional rights of this body as I see them, it is my present intention to vote for ratification of the treaty. It is not my purpose to attempt to delay the vote one moment. I vote for ratification not with any particular degree of enthusiasm. I vote for it not with any thought that the treaty will quickly bring us "peace on earth and good will to men." I vote for it with the distinct understanding, at least with myself, that it does not commit me to approve the building of ships at a cost of more than a billion dollars in order to reach parity with the other nations of the world. With my present information, I favor it as a gesture toward disarmament and as the best agreement our distinguished representatives were able to secure.

Mr. President, I state the conclusion as I stated it in the beginning, that in my judgment the question now before this body transcends in importance to the people, in its final analysis, the question of whether or not the pending treaty will be approved by this body. The question is whether or not the Senate will uphold the rights given it by the Constitution. The question is whether we approve further of whittling away the rights of the representatives of the American people. It is another step in the age-long fight on the part of individuals to place vast power in the hands of one or two and take it away from the multitudes of the people of the earth.

As far as I am concerned, not only on this but on every other question which arises in this body, it is my intention to do the best I can to uphold the rights of the representatives of the people in the legislative body. They are the ones who are given the power to make laws. They are given the power to coin money. They can declare war. They are given the power to regulate commerce. They are given all the great powers of government, and the executive power is given in one line. That power is "to execute the law."

Mr. President, while there might be some change which could be suggested in this resolution, if there are any objections to it on the ground of technical omission, or if it is thought there are immaterial communications requested, remedial suggestions should be offered; but unless this body is ready to abandon once and for all the uniform principle and practice which has been the custom since the beginning of the history of this body, it will not bow down and leave to the President or the Department of State the right to determine what pertinent evidence it shall have and what it shall not have.

In those few instances in which resolutions have contained the words "If not incompatible with public interest," it has been by the grace of the Senate, not because it was in compliance with the law or the Constitution, and so far as I am concerned, if the pending amendment is to be added to the resolution, I expect to vote against the resolution. I shall not vote for a resolution which, in my judgment, would surrender a right which belongs to the Senate, and which was given to it by the great charter of our liberties.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Harris	Moses	Shortridge
Bingham	Hastings	Norris	Steiner
Black	Hatfield	Nye	Stephens
Borah	Hebert	Oddie	Sullivan
Capper	Howell	Overman	Swanson
Caraway	Johnson	Patterson	Thomas, Idaho
Copeland	Jones	Phipps	Thomas, Okla.
Conzues	Kendrick	Pittman	Townsend
Dale	Keyes	Reed	Trammell
Fess	La Follette	Robinson, Ark.	Vandenberg
George	McCulloch	Robinson, Ind.	Walcott
Gillet	McKellar	Robison, Ky.	Walsh, Mass.
Gleason	McMaster	Schall	Walsh, Mont.
Goldshorough	McNary	Sheppard	Watson
Hale	Metcalf	Shipstead	

The VICE PRESIDENT. Fifty-nine Senators have answered to their names. A quorum is present.

Mr. THOMAS of Oklahoma. Mr. President, I understand the parliamentary situation to be that the question is upon the amendment submitted by the senior Senator from Arkansas [Mr. ROBINSON], adding in line 2, page 2, the words, "if not incompatible with the public interest."

The VICE PRESIDENT. That is the pending question.

Mr. THOMAS of Oklahoma. I desire to offer an amendment; and in order that it may be before the Senate I will read it. I move that Senate Resolution 320 be amended, in line 8, page 2, by striking out the period after the word "same" and inserting a colon and the following language:

Provided, That all data submitted as requested herein shall be considered in closed executive session, as provided in section 2 of Rule XXXVIII.

Mr. President, it occurs to me that this amendment should have precedence over the amendment submitted by the Senator from Arkansas, not as a matter of right, but as a matter of convenience to the Senate. If the amendment should be adopted, it would have the force and effect of considering any data submitted by the President under the resolution in closed executive session.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. THOMAS of Oklahoma. I yield.

Mr. NORRIS. It seems to me, if the Senator will permit the suggestion, that he ought to modify his amendment so that it would apply only in case the President sends the data in confidence. It may be the President would comply with the resolution and would have no objection to having the data considered in public. I agree with the Senator that if the President sends it in confidence as executive information, we ought to consider it behind closed doors, but at this stage of the proceedings we do not know that he is going to do that.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Idaho?

Mr. THOMAS of Oklahoma. I yield.

Mr. BORAH. I do not desire to take up any time debating this particular phase of the matter, but this is one phase of the proposition which interests me very much. I do not like to see the precedent established of the Senate saying in advance, before it receives the papers, that it would treat them in confidence. The Senate might well determine, after it had received the papers, that it ought not to make them public; but to make that as a pledge, as it were, previous to receiving the papers is a practice which I think the Senate ought not to begin.

We had that same question up in the committee. In order to get the papers, it does not seem to me that the Senate ought to make a pledge in advance of viewing them that it will not make them public. There is a responsibility upon the Senate, and I must assume that the Senate will not make any papers public which in sound reason ought not to be made public. It should not be assumed that the Senate will disregard the proprieties of the situation. The rights and duties and powers of the President and of the Senate are defined by the Constitution and are not to be defined by contracts or pledges and understandings.

Mr. THOMAS of Oklahoma. Mr. President, my information is that the reason why the data is not before the Senate is that it is not proper for the public to view it. I may be in error.

Mr. BORAH. I do not think that is exactly correct, for the reason that there have been documents sent to us already, but sent in confidence, so it must be that those documents are being withheld because of that principle. The documents which we have now have been sent to us in confidence.

Mr. THOMAS of Oklahoma. My position in the matter is this: I am advised that there are some data bearing upon the question that we do not have. Unless I can see those data I shall either refuse to vote when my name is called upon the treaty proposition or I shall vote in the negative. I desire to amend the resolution so that it shall be in such shape that the President will have no excuse for not sending the evidence to us. I do not care what it is. If the Senate goes on record in favor of the proposition of treating it in confidence, the President will have no excuse for not sending it to us.

I submit the amendment and ask unanimous consent that it may be considered in advance of the amendment submitted by the Senator from Arkansas.

The VICE PRESIDENT. Is there objection?

Mr. ROBINSON of Arkansas. Mr. President, I can not consent to that request in view of the statements which have been made by the Senator from Idaho [Mr. BORAH] and other Senators. I do not know of any reason why the pending amendment, after it has been debated 24 hours, should be superseded now by another amendment.

The VICE PRESIDENT. There is objection. The question is on the amendment of the Senator from Arkansas.

Mr. THOMAS of Oklahoma. Mr. President, the amendment submitted by the Senator from Arkansas means nothing. If there is not some good reason for the data not having been sent to the Senate, this language would mean nothing. There must be some good reason for the withholding of the data or else it would be here. If the resolution should be adopted with the amendment of the Senator from Arkansas in it and it is sent to the President, all he would have to say is, "In my judgment it is not compatible with the public interest for me to send the data to the Senate." That is easy. That is simple. He will have complied with the resolution and we shall be none the wiser. That does me no good.

Mr. NORRIS. Mr. President, I desire to say a few words on the resolution and the amendment offered by the Senator from Arkansas [Mr. ROBINSON]. I am in favor of the resolution. I am opposed to the amendment offered by the Senator from Arkansas. I think the Senator from Oklahoma [Mr. THOMAS] has given, just as he took his seat, a very good reason why we should not agree to the amendment. I know that ordinarily when we pass a resolution asking for information from the Secretary of State or from the President it is a very common practice, almost universal in fact, to insert those words. If this were an ordinary resolution calling for information I would be in favor of putting those words in the resolution. But it seems to me this is an entirely different proposition.

The resolution calls for documents and evidence from which, of course, we expect to gather information. It calls for certain documents and for correspondence. It seems to me under the resolution of the Senator from Tennessee it is asked for because under the Constitution of the United States we are entitled to it if we desire to function properly as a body. The Constitution of the United States makes us a part of the treaty-making power. We have a treaty that has been negotiated. We have the treaty before us. It is conceded that certain correspondence has been had between officials of our Government and other officials or representatives of our Government, and

perhaps between the officials of our Government and the officials of foreign Governments who are likewise signatory to the treaty. If we are to pass on the treaty, we are entitled, it seems to me, to the same information that the President had when he negotiated it and when he passed on it or when his representatives passed on it. We can not pass on it intelligently unless we have those documents, unless indeed we assume that the documents have nothing to do with it. It may be indeed when we get them, if we get them, that we will reach the conclusion that they do not have anything to do with the matter.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. NORRIS. I yield.

Mr. ROBINSON of Arkansas. I do not know whether I should interrupt the Senator at this point in his argument, but I am impressed with the fact that this whole discussion is largely a tempest in a teapot. I do not have reference, of course, to the remarks of the Senator from Nebraska, but I have reference to the substance of the controversy.

There were a great many messages sent in code between the American ambassador in Japan, the ambassador in London, and officials in Washington—some of them, I think, to the President and some to the Secretary of State. There were a good many subjects discussed in those messages which, according to the processes of diplomacy from time immemorial, were confidential. They are absolutely trivial and insignificant, in my judgment, in so far as they might be regarded as reflecting any light on the treaty after it was negotiated.

There are a good many things in those messages which undoubtedly, if published, would provoke resentment on the part of some of the signatories to the treaty. These messages are not the sole property of the United States. To make them public would be to violate the usages which have prevailed in diplomatic negotiations. Of course, I recognize the right of other Senators to the same information that I possess. I wish that the Executive had found some way to submit the documents in complete detail to the Senate, but if they ever were published they would make us appear ridiculous and they might make some other people appear ridiculous for withholding some of them. But there are some features of those messages that had significance during the preliminary negotiations.

Mr. President, I note that the Senator from Nebraska has just taken his seat. I do not mean to take the Senator from the floor—

Mr. NORRIS. I am glad to yield the floor to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. I thank the Senator for yielding to me. I really feel that this statement ought to be made. I believe it will be helpful in the controversy.

There were some messages sent by our representatives abroad describing situations which existed in foreign governments, having reference to the course of negotiations, which, if published, might cause very considerable and unfavorable reaction in diplomatic circles. So far as I am concerned, if the Senate wants to make trouble of that sort I think I would rather enjoy it after what has been going on here. But I now give Senators my word, in so far as it is acceptable, that all of these secret messages lost any significance that they might have had when the treaty was framed.

There is a great deal of mystery and, I think, needless mystery that surrounds diplomatic negotiations. In this country there has been growing a public sentiment in favor of publicity respecting such matters, but that condition does not prevail in some of the countries whose representatives are signatory to the treaty. I have not the slightest doubt that the result of the publication of the messages which have been so far withheld from publicity would be not to enlighten any Senator in any substantial degree. Of course, it would relieve him from feeling that perhaps there is something secret about the matter. He would not get any advantage and the country would not be advantaged in the slightest degree by their publication. It might have the effect of creating such resentment in other countries that the treaty might not be ratified by them. I wish I could give Senators some illustrations that I happen to have in memory about some of these messages, but if I did it I would subject myself to criticism for having made public things that ought not to have been published.

I am conscientious in the conviction that if the President sent every file of the State Department's records which have so far been withheld there would not be one Senator who would consume more than a few hours in studying them, and all other Senators would recognize the fact that they represented the usual secret and in some respects devious processes

of negotiations that occur when matters like this treaty are under consideration.

As I said a moment ago, I favor the fullest possible publicity. I would like to have these documents made available. If I knew any way to have it done I would take that course. The Senator from Alabama [Mr. BLACK] in a very interesting address has suggested that it is competent for the Senate to issue a subpoena duces tecum for the custodian of the files and compel their production here. I have not any thought that that is possible.

I agree with the Senator from California [Mr. JOHNSON] in his statement made on yesterday, and also with the Senator from Tennessee [Mr. McKELLAR], if the President shall say he is of the opinion that it is incompatible with the public interest to supply these documents, that that is the conclusion of the whole matter.

Mr. JOHNSON. Pardon me. It is the conclusion—

Mr. NORRIS. I yield to the Senator from California.

Mr. ROBINSON of Arkansas. The Senator from Nebraska generously yields to both of us.

Mr. JOHNSON. I wanted to have my position stated, as I know the Senator would wish to state it, accurately. Should the President state that to supply these documents would be "incompatible with the public interest" it would be the conclusion of our endeavor to get the papers—

Mr. ROBINSON of Arkansas. Oh, yes.

Mr. JOHNSON. But it would not be the conclusion of what may subsequently be done by the Senate.

Mr. ROBINSON of Arkansas. I was talking about the papers.

Mr. JOHNSON. All right.

Mr. ROBINSON of Arkansas. I was talking about "the secret papers," the mysterious documents.

There is to me an element of comedy in the matter, and that would be apparent if Senators could read some of these "secret" messages. I see that the Senator from Pennsylvania [Mr. REED] is highly amused at that suggestion. I am tempted to violate international comity and invite on my head the wrath of foreign diplomats and domestic politicians by revealing some of these magical and mysterious "secret" documents; but, on second thought, I believe I had better look to my personal security and rest in confidence as to our national security.

If the Senator from Nebraska will pardon me for saying now what I had intended to say after he had concluded, I shall proceed for just a moment.

Mr. NORRIS. I will do so.

Mr. ROBINSON of Arkansas. The Senator from Alabama [Mr. BLACK], in a very prolonged address, has contended that the Senate has the power to negotiate treaties. He has referred to the fact that in the Constitutional Convention there were a number of proposals submitted as to which branch of the Government should exercise the treaty-making power. Of course, all that became largely irrelevant when the constitutional provision was actually adopted. The Constitution gives the President power to make treaties, by and with the advice and consent of the Senate. Frankly, in the beginning, the constitutional provision was construed to mean that the President should advise with the Senate in the discharge of his function. The first President came down to the Senate and submitted a treaty, as I remember it, relating to southern Indians; and it is interesting to recall that he was accorded such a reception here that he left the Chamber angry, using language which in our time might be considered to be "unbecoming to an officer and a gentleman." President Washington never came back to the Senate.

When John Jay was appointed to negotiate the treaty with Great Britain the Senate considered a resolution declaring its right to participate in the negotiation of that treaty, but the resolution was defeated. Aaron Burr offered a resolution which comprehended the policy that the United States Senate would insist on its right to exercise the power to negotiate treaties in conjunction with the President. That resolution also was defeated by the Senate; and from that day to this there has never been a serious contention, so far as I can remember, that the Senate has the right to exercise the function of negotiation.

Reference has been made by the Senator from Alabama to the fact that the President of the United States in the instance of the pending treaty recognized the right of the Senate to participate in the negotiation by the appointment of two Senators, one on the other side of the Chamber and one on this side of the Chamber. I assert it as my opinion, after an exhaustive research on the question, not made in connection with this treaty but made in connection with treaties that were considered during the administration of President Wilson, that it is now the commonly accepted theory that there are two functions in the making of a treaty—negotiation and advice and consent, which

is sometimes called ratification—that the first is an executive function, according to all the recognized authorities, and the second is a function of the Senate.

The President in the performance of his function can choose any agents he pleases; he can select a Member of the House of Representatives; he can select a justice of the peace; he can select a private citizen; or he can do even worse than that and select a Senator of the United States. The fact that he did select Senators in this instance has no relation whatever, from a legal standpoint, to the question as to whether negotiation is a legislative or an executive function. It is clearly, according to the authorities, an executive function.

While I am on that subject let me speak very frankly. It is in all probability true that the comparatively recent custom of selecting Senators as negotiators resulted from a reaction that followed the course of President Wilson when he declined to employ the services of Senators and excluded from the negotiation any Member of this body, when it was well known that distinguished Members of the Senate had expected—and I might say had hoped—to be accorded the great distinction of being invited to serve as commissioners to Paris when the Versailles treaty was under consideration. President Wilson did not select any Senator.

We are all familiar with the result of the deliberations on the treaties which were negotiated at Paris. The Senate rejected them. I have heard it said and you have heard it said, Mr. President, that President Wilson's failure at Versailles was attributable to his lack of strategy, if I may employ the term, first, in the selection of his negotiators; and, second, in the manner of his dealing with the Senate of the United States. It was said that if he had been willing to compromise in the slightest degree during the earlier stages of the controversy an adjustment might have been made and the treaties which he presented to the Senate might have been ratified.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Idaho?

Mr. ROBINSON of Arkansas. I yield.

Mr. BORAH. I might say that I have always felt a deep sense of gratitude for the course of action followed by President Wilson.

Mr. ROBINSON of Arkansas. I hope the Senator from Idaho does not entertain the thought that I had him in mind when I said there were some Senators who had expected to be sent to Paris. If anybody here, either in the chair, or on the floor, or in the gallery, or in the heavens above, for that matter, thought I had any such idea in mind I hasten to correct the impression.

Mr. NORRIS. The Senator ought to include one other place, and then he would cover all. [Laughter on the floor and in the gallery.]

The VICE PRESIDENT. Let the galleries be in order.

Mr. ROBINSON of Arkansas. Well, Mr. President, the Senator from Nebraska may have familiarity with the residents of that other place and may be able to declare who is there, and whether including them would make the statement all comprehensive, but I am not so well informed; I have not seen these "secret records." [Laughter.]

Mr. NORRIS. The Senator will find out in time.

Mr. ROBINSON of Arkansas. Is that a threat or a boast or a prophecy?

Mr. NORRIS. It is both.

Mr. ROBINSON of Arkansas. Very well.

Mr. President, in all seriousness, the negotiation of a treaty is an Executive function, according to my understanding. The President may abuse his functions, and, to tell the truth, I think he often does. I can not recall a Republican President within my long memory who has not abused every function which the Constitution reposes in him; but that does not alter the correctness of the conclusion that it is his duty, and his responsibility, as the Constitution is now interpreted to negotiate treaties; and, as I have already said, he may employ any agents he chooses. His choice of agents does not alter the fact that the negotiation constitutes an Executive function, an Executive duty. The Senate's responsibility, of course, is to advise and consent or to reject the result of the negotiations.

These two functions are, of course, both necessary in treaty making; and it is wise for the President and it is wise for the Senate to cooperate just as fully as possible. The President ought to supply to the Senate all the information that is available, and the Senate ought to have all the information that is available for the intelligent performance of its duties; but if the President is of the opinion that it would be harmful to the public interest, that it would disturb our relations with foreign powers to supply data to the Senate, there is no appeal

from that decision, in my judgment, except through an election; and any time anybody here wants to appeal in that form against the present administration, God knows he will find me according him cordial support. [Laughter.] But we can not compel the President, by any legal or other process, to produce papers connected with the negotiation of a treaty. He has the power to hold them in absolute secrecy as incident to the performance of his constitutional function—the negotiation of treaties.

When this resolution is passed—as it is going to be some time in the dim, distant future, when the wicked have ceased from troubling and the weary are at rest—I wonder if the Senator from Alabama expects to proceed to compel the Executive to comply with the resolution.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. Certainly.

Mr. BLACK. That question was asked in the debate of 1886.

Mr. ROBINSON of Arkansas. I do not care anything about the debate of 1886.

Mr. BLACK. I want to tell the Senator. It has been asked in every debate. I admit that we have no power to compel the President.

Mr. ROBINSON of Arkansas. Very well.

Mr. BLACK. We can not send an army there, I admit that the people had no power to compel Caesar to do things; they had no power to compel Charles I to do things, or various others; but the mere fact that we do not have the power to enforce our right is no reason why we should not assert it.

Mr. ROBINSON of Arkansas. Mr. President, and gentlemen of the press gallery, and all other individuals giving attention, if I correctly interpreted the argument of my friend the Senator from Alabama, he stated over and over that this is an enforceable right which the Senate has.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. Certainly.

Mr. BLACK. The Senator misunderstood me.

Mr. ROBINSON of Arkansas. Then that is all there is to it.

Mr. BLACK. There is a great deal of difference between a right which we can enforce and a right which we can not enforce.

Mr. ROBINSON of Arkansas. I understand that perfectly well.

Mr. BLACK. But we assume that the President will do what is right.

Mr. ROBINSON of Arkansas. Does not the Senator know that that is a very violent assumption?

Mr. BLACK. I think so; yes.

Mr. ROBINSON of Arkansas. Especially from the standpoint of Senators in a controversy between the Senate and the Executive. These controversies have been going on since the days of George Washington. The Senate insists upon its prerogative to receive secret documents; and in almost every case with which I am familiar the President has replied that they could not be supplied without great danger to the country.

I am not going to elaborate on the thought that frequently the whole problem could be solved by the exercise of a little practical sense. It may be that that is the difficulty with me, that I am not exercising it myself; but necessarily there must be cooperation between the two branches of the Government that constitute the treaty-making power, and a practical course of cooperation would suggest itself, it seems to me. We get nowhere by passing this resolution. We are going to pass it. We are going to incorporate the amendment in it, in my judgment, although many of my friends are opposed to it.

In every instance that has occurred within recent years the Senate, when requesting action by the President, has always employed the language "if not incompatible with the public interest."

In 1915, when the Senate passed a resolution calling on the President to send to it the secret papers connected with the interference of certain belligerent nations with shipments of copper from our ports, the language was expressly incorporated, "if not incompatible with the public interest."

In 1916 another case arose; I believe in connection with Mexico. The President was asked to send to the Senate secret documents and papers relating to the situation in that country. The President again refused.

There is an exact precedent. Following the Washington conference this body passed a resolution asking President Harding, if not incompatible with the public interest, to send to the Senate the secret papers and documents relating to the 4-power treaty, and I think if we went back into history it would be found that I had something to do with it. I am not certain about it from memory, but I think I was a champion of that resolution. The President very promptly replied that there were some things called for that could not be supplied, because they

were not matters of record; but that in so far as the resolution applied to matters of record they would not be supplied, because it would be incompatible with the public interest to do so.

As has been stated by my friend the Senator from Oklahoma [Mr. THOMAS], if we adopt this amendment we will conform to the custom of the Senate; we will treat the President courteously, and, in my judgment, we will not get the papers. I should love to have Senators see them. If my opinion is worth anything, there would be a blow-out here, so to speak, that would linger in the memory of all of us; and if I were the Chief Executive—that, of course, is a very absurd assumption—if I had the papers I would give them to the Senate. The Lord knows I would give them to the Senate, and then there would be an end to this feature of the controversy. But the probability is that we will not get the papers, whether my amendment is adopted or not; but in adopting it we will have conformed to the custom of the Senate, and we will have treated the Executive courteously.

I can recall numerous occasions on which this body has disregarded that rule of comity which it is essential to observe in order that amicable relations may be maintained between the various departments of this Government. We need not take pride in the idea that in efforts to defeat this treaty and to embarrass the President in his conduct of relations with other governments we are performing a service or doing an act that will prompt gratitude on the part of the people of this country. Usually public sympathy in questions of that sort is fairly aligned. If we wish to say, in disregard of the custom of the Senate and by eliminating the language that the Senate usually employs, public opinion will not approve.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. Yes; I yield.

Mr. BLACK. I am interested in the fact that the Senator states that it is the custom of the Senate. My investigation leads me to the directly contrary conclusion.

Mr. ROBINSON of Arkansas. May I say to my friend that I have already discussed that question and I cited the precedents.

Mr. BLACK. The Senator cited two, as I recall.

Mr. ROBINSON of Arkansas. No; I have cited three since 1915—the one relating to the copper shipments, the one relating to Mexico, and that which is exactly in point, relating to the Washington conference.

Mr. BLACK. I can give the Senator dozens to the contrary.

Mr. ROBINSON of Arkansas. As I understand the custom—and my friend the Senator from North Carolina [Mr. OVERMAN], who has been in the Senate a long time, will correct me if I am in error—it has been the practice of the Senate for a long time in calling upon the President for information to make the request subject to compatibility with the public interest. I recognize that if the principle asserted by the Senator from Alabama is true, if the Senate has a part in the negotiation of treaties, and therefore has the right to all documents and papers that relate to the negotiation, without regard to the question of compatibility with public interest, there is no force in this declaration; but if there were a Democratic President in the White House I would fight you a long time—and I did do it when there was one—before you should frame a declaration which, according to custom, would be construed as a discourtesy to the Executive. Under the circumstances it will not detract from the resolution in the slightest degree to conform to this custom and comply with this courtesy toward the President.

I sincerely hope that the amendment will be agreed to, even though it will not secure the papers, and it will not prevent us from securing the papers.

Mr. ROBINSON of Indiana. Mr. President—

The VICE PRESIDENT. The Senator from Nebraska [Mr. NORRIS] has the floor.

Mr. NORRIS. I think I had better yield the floor.

Mr. ROBINSON of Arkansas. Will the Senator from Indiana permit me to apologize to the Senator from Nebraska for taking him from the floor?

Mr. ROBINSON of Indiana. Mr. President, I have been very much interested in the statement of the Senator from Arkansas with reference to the treaty-making power of the Senate and that of the President. I am especially interested in the statement of the distinguished Senator to the effect that all negotiation of treaties must be conducted by the executive department of the Government.

I am not prepared to agree with his conclusion on that score, because at this very moment the Senate is in executive session, considering executive business. The Senate of the United States does many things outside of the legislative sphere. The Senate of the United States has a part in making executive appointments of those who serve the Government. The Senate of the United States may on occasion sit as a court,

and has done so before now, thereby exercising judicial functions; and in the matter of treaty making the Senate unquestionably does not operate in its legislative capacity, but as an executive force, in its executive capacity.

Mr. President, the Senate up until 1900, according to the late Senator Lodge in his Treaty-Making Powers of the Senate, had amended some 68 treaties. I should like to ask the Senator from Arkansas who has just spoken if it is not true that when the Senate of the United States, sitting in executive session, amends a treaty materially, it contributes just as materially to the negotiation of the treaty?

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. ROBINSON of Indiana. I yield.

Mr. ROBINSON of Arkansas. I have before me a number of authorities on that subject. Unquestionably the Senate, in the exercise of its power to advise and consent, can attach to its advice and consent any conditions it chooses, either in the form of a reservation or an amendment. But it has no relation to the negotiation of a treaty.

Mr. ROBINSON of Indiana. Mr. President, if the Senate, then, may amend a treaty materially, may change it completely, the Senate, then, assists in the negotiation of the treaty.

Mr. ROBINSON of Arkansas. Oh, no; if the Senator will pardon me. The exercise of the power of the Senate to amend or to attach reservations as a condition to its advice and consent has no relationship whatever to the negotiation of a treaty.

Mr. ROBINSON of Indiana. Mr. President, it is all an executive function, shared by both the Senate and the Executive.

Mr. ROBINSON of Arkansas. Oh, no; that is not an executive function exercised by the Senate when the Senate amends a treaty. That is in the exercise of its function to advise and consent. All the authorities hold that.

Mr. ROBINSON of Indiana. Certainly it must be executive; it is certainly not legislative or judicial. The United States Senate has no authority under the Constitution to legislate for Great Britain or for Japan.

Mr. ROBINSON of Arkansas. Certainly not.

Mr. ROBINSON of Indiana. Then it must be an executive function. It can not be judicial, it can not be legislative.

Mr. ROBINSON of Arkansas. Will the Senator pardon me further?

Mr. ROBINSON of Indiana. I yield.

Mr. ROBINSON of Arkansas. The Senate's function is to advise and consent.

Mr. ROBINSON of Indiana. Precisely, and that is executive. Mr. ROBINSON of Arkansas. Wait a moment. Let me finish my explanation, unless the Senator wishes to deny me the opportunity of making the explanation.

Mr. ROBINSON of Indiana. I am very glad to yield to the Senator.

Mr. ROBINSON of Arkansas. The Senate's function is to advise and consent. I have the authorities here before me and can read them, if the Senator insists, but I can state their substance from memory. All the authorities hold that in the exercise of the power to advise and consent the Senate may attach any conditions it chooses to attach. It can amend; it can prescribe reservations. That is not an executive function. That is not the negotiation of a treaty. The negotiation of a treaty has relation to the communications between the governments which become signatories, and it has nothing whatever to do with the amendment of a treaty by the Senate of the United States.

Mr. ROBINSON of Indiana. Mr. President, that is the Senator's opinion, evidently. Unfortunately, I can not always share his opinion on some of these subjects; for instance, the treaty itself.

Mr. ROBINSON of Arkansas. I suppose if we could agree, there would be no further question about it.

Mr. ROBINSON of Indiana. The Senator from Arkansas has seen the so-called secret documents. I have not seen them. The Senator from Arkansas says the secret documents amount to nothing. I can only accept the Senator's word for that. I understand the Senator to say that the treaty itself is in the best interests of the United States and of the people of this country. Again I do not share the Senator's opinion. Therefore, before I vote on this treaty I should like to know all the ingredients that went to make it up.

I recognize that the Senator from Arkansas and the Senator from Pennsylvania are embarrassed in this matter. They are acting both as judges and as advocates, and, I may say, as negotiators, and of course they are embarrassed more or less, and it is embarrassing for me, an individual Senator, to suggest that there is anything or that there may be anything in the secret documents which others besides the two Senators should

see. But unfortunately, again, the Constitution of the United States does not say that the Senator from Arkansas and the Senator from Pennsylvania shall consent and advise to any treaties which may be negotiated. The Constitution of the United States says that the Senate shall advise and consent.

It does happen that two individual Members of this body have seen the secret documents. It happens that 94 have not. Even if they had, it still would not comply with the Constitution, because the Constitution does not say that individual Senators shall advise and consent. The Constitution of the United States says the Senate, the body, the official body of this Government known as the Senate, shall advise and consent, and I ask, how can this body intelligently advise and consent to a treaty when it does not know what went into the treaty? Therefore these documents should not come to individuals; individual Senators should not be forced to slip around and look at these documents sneakily. They should be brought out before them, and the Senate, the constitutional body of this Government known as the Senate, should see these documents. Then it might intelligently act on the documents.

Mr. THOMAS of Oklahoma. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Oklahoma?

Mr. ROBINSON of Indiana. I yield.

Mr. THOMAS of Oklahoma. I would like to ask two or three questions to see if I understand the Senator's position as to the power of the Senate. My first question is, The Senate has the power, has it not, to reject a treaty, in other words, to kill it?

Mr. ROBINSON of Indiana. Exactly. There is no doubt of that. It has done so before now on different occasions.

Mr. THOMAS of Oklahoma. The Senate has power to attach reservations which modify a treaty to some slight extent, has it not?

Mr. ROBINSON of Indiana. Precisely.

Mr. THOMAS of Oklahoma. The Senate has the power to attach a number of reservations, or make a number of additions, which might in toto change a treaty, has it not?

Mr. ROBINSON of Indiana. That is true.

Mr. THOMAS of Oklahoma. The Senate has the power to substitute an entirely different document and pass it and send it to the President, has it not?

Mr. ROBINSON of Indiana. That is my understanding.

Mr. THOMAS of Oklahoma. If the Senate should do that, then it is within the power of the President to advise and consent to the Senate treaty, or he could kill it, or not send it to the other signatory powers. Is not that correct?

Mr. ROBINSON of Indiana. That is quite true. I suppose no one will dispute the fact that the treaty-making power of a nation is a sovereign power, and I assume also that no one will dispute the fact that sovereignty in this country is in the people of this country. The people, then, are sovereign.

The people adopted the Constitution in 1787—the Constitution prescribing a form of government. In that Constitution it was written, "We, the people," not the "States." The States, as such, had nothing to do with making that Constitution. The people made the Constitution, and only the people can change it. The people of this country, thank God, are the sovereign power; and the people, in their Constitution, placed part of their sovereign power, namely, the treaty-making function, jointly in the Executive and the Senate. They are coequal. I see no other way to interpret that constitutional paragraph. They are coequal. The President may negotiate treaties, it is true, and then the Senate may change the negotiations vitally, and the Senate has, according to the distinguished authority whom I quoted a little while ago, amended more than 68 treaties up to date.

Mr. President, if that be true, and the Senate must pass on this treaty, then why should not the Senate have the facts, all the facts, whether the Senator from Arkansas sneeringly may say they amount to nothing or not? Let this body, which has the responsibility, decide the question whether they be important or not.

All these secret documents are known to the British chancellery and to every clerk there. All these documents, I take it, are known in the Japanese Foreign Office.

Mr. REED. Mr. President, will the Senator yield?

Mr. ROBINSON of Indiana. I yield.

Mr. REED. Does the Senator mean that the communications passing between Ambassador Dawes and the State Department here are known to the British or to the Japanese?

Mr. ROBINSON of Indiana. Mr. President, it is possible that those identical items of correspondence are not known, but I make bold to say, with a fairly practical knowledge of how things are done in the chancelleries of the world, that all these documents in course of time will be common property to every

nation on the face of the globe. They have their systems for finding them out. We discovered that in the World War. Only the United States Senate dare not have these confidential documents; only the Senate, which must vote to ratify the treaty or reject it, a treaty which may vitally affect the welfare, the safety, and the concern of the American people for all time to come.

I recognize that the Senator from Pennsylvania is embarrassed. Of course he is. He assisted in making this treaty, and I would not further embarrass him. He has seen these documents.

Mr. REED. Mr. President, the Senator must not waste time on that. I would be glad to have him try to embarrass me.

Mr. ROBINSON of Indiana. But the Senator does not want to be embarrassed, does he?

Mr. REED. I do not think that will happen.

Mr. ROBINSON of Indiana. The Senator was embarrassed yesterday. It is the strangest coincidence in the world that a prominent publication in Japan published the fact that the United States delegation at London, for purposes of home consumption, were talking eighteen 8-inch-gun cruisers but that they were only going to have 15 during the life of this treaty, and another strange coincidence is that that very language appears in the treaty itself.

I would not embarrass the Senator myself, unless he desires to be embarrassed. Then it becomes necessary to speak the truth. This treaty, in my judgment—and I want to speak of that in a day or two—seriously and most gravely imperils the safety and security of the United States, and I want not to be a party to it in any sense of the word, and I shall not be. The Senator from Pennsylvania may have all the glory which goes to a negotiator of this treaty. But I shall not attempt to embarrass him further.

There was a time, and it was not so long ago, and the custom may still be practiced in certain countries, when kings got together, through their ambassadors, and negotiated treaties, as the result of which alliances were formed, and they were made offensive and defensive. Sometimes those treaties resulted in the sacrifice of millions of lives. But under the Constitution of the United States, adopted by the people of the country, the sovereign power, no such thing is possible here; and because the founders of the Republic desired that that should never happen they placed checks and balances in the Constitution governing this particular function so that the Executive and the Senate must coordinate. They must be coequal.

Mr. President, assume, for the sake of the argument, that what I have said is true, and then assume that we do not get these secret documents; how can the Senate intelligently and honestly vote to ratify this treaty?

I suppose the Senator from Pennsylvania will not dispute the fact that the clerks in the State Department know all about this treaty and know all about the secret correspondence regarding the treaty. They have no official responsibility, but each and every Member of the United States Senate has taken an oath, the same as the President has, to support the Constitution of the United States, and every Member of this body has official responsibility.

Then why should clerks and attachés in the Department of State have knowledge of these vital papers when they have no responsibility to pass on them and may retail their contents as far and as widely as they desire, while Senators of the United States, charged by the Constitution with responsibility of action, of passing on the merits of the document, shall not have this secret correspondence? What plausible reason can there be for it?

Some one has suggested it is a contract. No, Mr. President; it is far greater than that. This is the primary and fundamental law the minute it becomes enacted and ratified. I grant that at this moment it is "inchoate, a mere treaty form," but the minute the Senate ratifies it, it binds the Nation during the life of the treaty, and it binds it against all domestic laws. It takes precedence over practically everything. In the matter of a contract, if there is any breach alleged the court will decide the merits of the contract and whether a breach has been committed or not; but in a treaty each and every nation interprets it for itself. That is quite different, is it not? Does anyone suppose that Great Britain, when she interprets the treaty, will not take advantage of every secret document in pressing her claims if there is any dispute at any time? Does anyone suppose that Japan will not claim the same advantage?

Oh, but the Secretary of State, my good friend whom I admire very much and yet with whom on this vital matter I disagree so thoroughly, has said in substance, "You can take this document or leave it alone. It is all within the four corners of the instrument." No, Mr. President; that is not the history of treaties. The history of treaties and their interpretation in

this and every other country is that each country goes back and finds all of the secret documents, all of the collateral matter, to seek some advantage for itself. All of this extraneous matter enters into the treaty. If we have not a knowledge of this collateral matter, how in the world can the United States Senate pass on the treaty?

There was cited here by the senior Senator from Minnesota [Mr. SHIPSTEAD] an arbitration case between Great Britain and the United States. Let me read from the very excellent report prepared by the Senator from Minnesota:

It is interesting to note that a controversy over fishing rights in the North Atlantic had arisen from time to time since the signing of the treaty of 1818. The treaty of 1888, negotiated by President Cleveland and ratified by the Senate, the Senate having all the documents, did not settle the controversy. It was, therefore, decided to submit to a court of arbitration at The Hague, which was done in 1910.

The decision of the arbitration court shows that one of the important questions involved was decided upon the basis of correspondence exchanged between Lord Bathurst and John Quincy Adams, American minister to Great Britain, the notes having been exchanged in 1815, three years before the signing of the treaty. (Hyde's International Law, vol. 2, p. 535.)

I quote further from the same report, and then I shall leave this subject for the moment:

In 1898 a controversy arose with Switzerland over a most-favored-nation treaty signed in 1850. As American Secretary of State, Mr. Day stood squarely on the text of the treaty with Switzerland.

May I interpolate, he stood just as the Secretary of State today stands on the London naval treaty, squarely on the treaty itself, taking the position the treaty spoke for itself—

As American Secretary of State, Mr. Day stood squarely on the text of the treaty with Switzerland. Switzerland, however, claimed that the meaning of the treaty must be gained not only from the text but also from all extraneous matter pertaining thereto. It developed that the plenipotentiary of the United States had made certain agreements and these agreements had been reported to the President by correspondence. When this was called to the attention of John Hay, who in the meantime had become Secretary of State, he addressed a note to the Swiss Government saying he had investigated the matter and discovered that Switzerland was right.

Mr. President, that being true, is there any Senator who wishes to discharge the tremendously heavy responsibility resting on his shoulders by voting for a treaty that will commit the United States on the sea and her good moral name, at any rate during the life of the treaty, without knowing more about it, without knowing something at least of the extraneous matters which entered into its making?

Mr. President, there may be no way to force these papers here. That is possibly true. But without the papers no Senator has to vote for the treaty. Without the papers any Senator is privileged to vote against it. Ah, far better vote in ignorance against a treaty that may mean the wreck and ruin of our country than to vote for it in ignorance and thereby make ourselves culpable for our country's possible destruction. If this treaty is as bad as I believe it to be, it would so thoroughly imperil our safety and security as possibly to jeopardize our independence and sovereignty.

Mr. President, we can become rubber stamps. We can sign on the dotted line without knowing what we are signing. That is very much the way one who is unable to read and write executes his mark. But I trust that Senators of the United States will be sufficiently alive to the heavy responsibility resting upon their shoulders as to act intelligently in this matter and to act only after being informed of all the ingredients which entered into the treaty. I shall not quarrel with any Member of the body no matter how he may vote, but I hope none will vote without knowing for what he is voting. But how he can vote intelligently and know how he is voting without having a knowledge of these secret documents is beyond my power to comprehend. Some of the documents were sent to the Committee on Foreign Relations marked "confidential." Other documents were withheld so the question of confidence does not enter into it very greatly.

Some of these documents can not be sent to the Senate apparently even in confidence. It is my theory that as a coequal branch of the treaty-making power of the United States Government, the Senate should have not a part of the documents but all of the documents. No individual Senators here and there should have them to go around confidentially showing them to other Senators but the Senate itself as a body, as a part of the treaty-making part of this great Government of ours should have the documents for the closest scrutiny.

Mr. President, of course, I shall not vote for the treaty; I am opposed to its ratification. But regardless of how I felt, I certainly should not vote for it unless I knew all the facts and all the elements that went into its making.

Mr. REED. Mr. President, the question in this case is not whether the so-called secret documents shall be submitted to the Senate. That is not the question at all. They can be submitted to the Senate in five minutes if the Senate will agree to accept them in confidence. The real question in this case is whether the Senate of the United States shall be allowed to give orders to the President of the United States that the dispatches between his ambassador and his State Department shall be published for all the world to read.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Indiana?

Mr. REED. I yield.

Mr. ROBINSON of Indiana. The Senator from Pennsylvania agrees that the Senate Committee on Foreign Relations is the agent of the Senate?

Mr. REED. I do.

Mr. ROBINSON of Indiana. And that the Senate is the principal?

Mr. REED. I do.

Mr. ROBINSON of Indiana. With the committee acting as agent?

Mr. REED. That is correct.

Mr. ROBINSON of Indiana. Then I ask the Senator why it is, if all the documents can be produced so quickly, that only a few of the documents were sent to the agent of the United States Senate, and they marked "confidential," and the committee given to understand that the others would not be forthcoming under any circumstances?

Mr. REED. The answer to that is very easy. The committee sent two requests. The first request was for a number of papers, which were listed. They got them immediately, marked "confidential." Then they sent back another request for everything else and made it known that they did not intend to hold them confidential if they got them, and it was refused, of course.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from California?

Mr. REED. I yield.

Mr. JOHNSON. I may not have understood the Senator correctly. Did the Senator say that we received all of the papers in answer to our first demand?

Mr. REED. All of the papers that were listed, as I recall it.

Mr. JOHNSON. Oh, no!

Mr. REED. Did we not?

Mr. JOHNSON. Oh, no. We received only a part of them, and that part paraphrased, to which I did not object, but we received only a part.

Mr. ROBINSON of Indiana. And those in confidence.

Mr. JOHNSON. Yes; and those in confidence.

Mr. ROBINSON of Indiana. We did not receive the others under any circumstances.

Mr. REED. Wait a minute! The Senate will receive the others any time that it will agree to hold them in confidence. Under those circumstances it will have them.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield?

Mr. REED. No; I am going to make a speech for a moment. The Senator has been enlightening the world like the Statue of Liberty for about an hour. I am going to let my feeble flame burn for five minutes, and I shall not yield to anybody.

Mr. MOSES. Mr. President, prior to that—

The VICE PRESIDENT. The Senator from Pennsylvania declines to yield.

Mr. MOSES. I want him to enlighten this small portion of the world on only one question.

Mr. REED. That is impossible, Mr. President.

Mr. MOSES. Oh, no!

The VICE PRESIDENT. The Senator from Pennsylvania declines to yield.

Mr. REED. I repeat in quiet what I once before have said under some competition, that the sole question is whether the cables to and from Ambassador Dawes, passing between Ambassador Dawes and the State Department, shall be published to all the world against the wish of the President, whose ambassador it is and whose Secretary of State it is that were communicating. No one denies that information to the Senate. It happens that a copy of those cables was in the possession of the Senate delegates to the London conference and that copy

is available for any Senator to examine at any time if he will accept it in the confidence in which it was given.

There is nothing secret about the treaty whatsoever. There is no secret agreement. The Secretary of State has testified to that. He has written it in a letter which was put in evidence yesterday in the RECORD of the Senate in the speech of the Senator from California [Mr. JOHNSON]. The Secretary of State has affirmatively said that there is no agreement, express or implied, of any sort save what is written in the treaty itself and in the exchange of notes which have been sent to the Senate. Every agreement between the parties in London was written into the treaty which was signed at the conclusion of the conference.

Now, Mr. President, an appeal to the horse sense of the Senate and of the country.

When it was announced that this conference was going to be held in London, and when the delegates of the five nations were named, I do not know at all what information the ambassadors of Great Britain, of Japan, of France, and of Italy here in Washington sent to their governments; but they would have been sadly remiss in their duty if they had not promptly communicated back to the foreign offices of their countries their estimate of the individuals who were named. While I am not saying what is in these cable messages, it is open to any of us to assume that ordinary communications of that character would have been made by Ambassador Dawes to his Government; that he might have said, "Sir What's His Name Snooks is a very shrewd man; he deals very closely, and has to be watched," or that "Count Antonio This or That"—who is on some other delegation—"can not be trusted in all respects," or, perhaps, that he can be. That kind of communication is inevitable. I have no doubt that all four of those ambassadors here cabled their home government their estimates of the American delegates. Suppose that information was published; suppose the cablegrams of the Italian ambassador to his home government were published in Rome, giving his possibly unflattering opinion of the various American delegates; he would have to be recalled instantly.

That is the kind of stuff that comprises these so-called deadly "secret" documents—the ordinary full, frank comment of an intelligent ambassador like Mr. Dawes, speaking in the intimacy of the most complicated code that our cable experts can evolve; speaking as he would speak if he were closeted in an office with his Secretary of State or with his President. Would we dream of subpoenaing either of them to come here and tell the world what was said by Ambassador Dawes to President Hoover? When the ambassador was here last month would we dream of asking him to testify to what he said in private to the President when he was here a year ago? Of course we would not.

Then why should not the President of the United States have the right to communicate with his personal representative abroad by secret code and secret messages? When he says he is willing to share them with us as Senators, surely that is pretty good evidence that no sort of underhanded treachery has been practiced against the interests of the United States. He is perfectly willing to trust us with them; but that does not mean that we have a right to force them into the newspapers of the whole round globe. Of course he will not surrender them.

Mr. MOSES. Mr. President, will the Senator from Pennsylvania yield for a question?

Mr. REED. I will.

Mr. MOSES. When did the President say to the Senate Committee on Foreign Relations or to the Senate that he would trust us with these papers?

Mr. REED. The President's representative, the Secretary of State, has repeatedly so stated, and he has approved the statement I have made over and over again that the papers are right in my office here on this floor, and any Senator may look at them. If the Senator from New Hampshire will walk in with me, he can see them right now.

Mr. MOSES. I remember that, and I remember the Senator from Pennsylvania made that offer in the Committee on Foreign Relations. I did not accept that proposition, because I believe that the Senator from Pennsylvania is wrongfully in possession of those papers.

Mr. REED. Very good.

Mr. MOSES. Those papers constitute a part of the diplomatic archives. The Senator from Pennsylvania went to London on a diplomatic mission. When his mission was concluded, under the regulations of the State Department, he has no right to take a copy or even a paraphrase of any of those documents. There are documents, Mr. President, in the archives of one of the legations of the United States which I should be very glad to have, either in copy or paraphrase, but I am not

permitted to have them, and I believe that in this case the documents are now wrongfully in the possession of the Senator from Pennsylvania.

Mr. REED. Can the Senator enlighten us further and tell us what the penalty for that crime is?

Mr. MOSES. I do not think there is any, and I would certainly not exact one if I knew it.

Mr. REED. Whenever the Senator wants to see the papers, I shall be glad to show them to him.

Mr. MOSES. I thank the Senator for his oft-repeated offer, and I decline it just as frequently as he makes it. If the Senator will permit me further—

The VICE PRESIDENT. Does the Senator from Pennsylvania yield further to the Senator from New Hampshire?

Mr. REED. Yes.

Mr. MOSES. If the Senator will permit me, I desire to say that he will recall that I, at least in the Committee on Foreign Relations, said that I could see no reason why we should not accept the documents in confidence. The Senator will recall that there was a discussion, more or less heated, in the committee as to whether when we received the documents they could be given to us under a seal of confidence or whether when we received them under any circumstances we were not privileged to make them public. The Senator will recall—for he sits near me at the committee table—that I took the position that we were constantly receiving confidential communications from the Executive, and I saw no reason in the world why the committee should not receive from the Secretary of State all these documents under the seal of confidence.

Mr. REED. The Senator is exactly right.

Mr. MOSES. But I beg the Senator to believe that until this minute I did not know that the Secretary of State had ever said he would send them to us in confidence. He did give us a veiled intimation on one occasion that any Senator who wished to examine them could come down to the State Department and see them. Beyond that, I do not understand the Secretary to have gone.

Mr. REED. I understood him to have approved the statement which I made that I would be glad to turn them over in confidence to any Senator.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from California?

Mr. REED. Just a moment, and then I will yield. I want to say that I agree fully with the statement of the Senator from New Hampshire that the committee and the Senate have often received papers in confidence, and ought to continue to do so, and ought to receive these papers in that way. As for the Senator from New Hampshire not wishing to receive them from my tainted hands, if he wishes, I have no doubt I can arrange to have the Secretary, with an armed escort, if necessary, present them to the Senator with all the formality possible.

Mr. MOSES. Oh, no, Mr. President; I would not put the Laird of Stanmore to that inconvenience.

Mr. REED. I now yield to the Senator from California.

Mr. JOHNSON. Does not the Senator recall that when he made the same suggestion in the committee that he made here yesterday about permitting Senators to see these papers, I asked him categorically, "Do you make this statement on behalf of the President or do you make it for yourself personally?" and the Senator from Pennsylvania said, "I am acting personally and make it personally alone."

Mr. REED. That is absolutely correct, Mr. President. I took the responsibility of doing it personally on my own account because I did not think that I was entitled to have any information on this subject that every other Senator was not entitled to have; and that is why I was glad to take the responsibility. Since then the Secretary of State has repeatedly said—and I think publicly—that he fully approved of that offer which I made.

Mr. NORRIS and Mr. JOHNSON addressed the Chair.

The VICE PRESIDENT. The Senator from Nebraska.

Mr. JOHNSON. I am not going to ask to interfere with the Senator from Nebraska, for he has been interfered with all afternoon.

Mr. NORRIS. Mr. President, I have forgotten where I was when the Senator from Arkansas [Mr. ROBINSON] asked me a question, and the question was so prolonged that I have forgotten it. [Laughter.] However, I want to follow with a few comments on some of the things the Senator from Pennsylvania [Mr. REED], and, I think, the Senator from Arkansas, have said.

In effect, both Senators seem to be proceeding on the theory that there is an attempt on the part of those of us who favor the pending resolution to give publicity to something that is of

a confidential nature and that should not be given to the public. I want to disabuse the mind of the Senator from Pennsylvania, and of every other Senator who may have that kind of an idea in the back of his head. So far as I know, there is no such attempt. Nobody is trying—at least, so far as I know, and I think I would know if there were such a design—to give publicity to anything that should not be published, or that the President himself thinks should not be published. Neither is there any discourtesy in the resolution as originally drawn and as it now stands before the Senate to the President or anyone else. Any attempt on the part of Senators or others to try to convey the idea that there is discourtesy intended or that there is discourtesy embodied in this resolution certainly can be dissipated by any man who will read the resolution and give it one moment's reflection. The resolution begins:

That the President be, and he is hereby, requested—

Is that discourteous? Is there anything wrong about that? Could a word other than "requested" be used which would be more courteous? Can there be any possible offense taken at the word "requested"? Can anybody say for a moment that we are trying to be offensive when we request the President to send us documents which, it is conceded, are under his control and which were taken into consideration in the negotiation of the very treaty on which we are about to pass and on which we are called to pass under the Constitution of the United States?

The Senator from Pennsylvania says, "I have all those secret documents in my room, and you can come out and look at them, if you will agree to keep in confidence the information you get from them." That is very kind of the Senator from Pennsylvania. He recognizes, and frankly states, that he does not think he ought to have any more information than any other Senator ought to have in passing upon the pending treaty. He thinks, or I presume he thinks, that the information would be of no value in passing on the treaty. He may be right in that respect. The Senator from Arkansas [Mr. Robinson] practically has said, "It is foolish; there is not any sense in getting this information; it will not do anybody any good; you will laugh about it." That may be true, but that does not take away from the Senate any responsibility that rests upon it in the performance of its constitutional duty.

Suppose, Mr. President, that the Senate were a court, and you were the judge, and a witness were on the stand, and he were asked, "Did you have a conversation with this man at such a time on such a subject?" and he replied, "Yes." Suppose the next question was, "Relate that conversation to the jury," and the witness should say, "Why, the jury would not pay any attention to it; they would just laugh at it; it is merely foolish, so I will not relate it." What would the judge say? He would say, "I will pass on that question. Relate the conversation. It is for me to say whether it is proper evidence or not."

Who is going to say in this case whether this evidence is proper or improper? Is it the Senate, or somebody else? Is it the President? Is it the Senator from Pennsylvania, or the Senator from Arkansas? Why should not the Senate pass on the question?

Mr. President, if the President of the United States withholds these documents for the reason that he is afraid if they are published they might give offense to some other nation, all he has to do is to send them to the Senate in confidence. I think Senators who know the fight that has been going on for years and years in this body about publicity of the action of the Senate on nominations and treaties recognize that from the very beginning, ever since I have been a Member of this body, I have favored publicity. I think without exception, on every opportunity when I have had a chance to vote or to express my opinion, it has been in favor of publicity; but I have always said, and all those who were on the same side that I have been have always said, "If a case arises where secrecy should be demanded, we will go into executive session"; and our rules make that provision now.

After years of struggle we have finally done away with secrecy in executive sessions; and since that rule has been adopted up to this good hour there has never been an occasion on a nomination or a treaty when anyone has even suggested that the action of the Senate ought to be had behind closed doors; and yet we provide for just such an emergency. Perhaps that kind of an emergency is before us now. If it is, we will follow the rule and consider this evidence in secret executive session; and, as far as I am concerned, regardless of what I might think of this evidence after I had examined it, if I thought it amounted to anything, that there was no harm in giving it publicity, I would still hold it in executive session and retain it in confidence without giving it publicity if the President of the United States, when he sent it here, asked that that be done.

The President is part of the treaty-making power, just the same as we are; and if the Senate thought it would not hurt to give the matter publicity, and the President thought it would, I would follow his request, and I think the Senate would, without any doubt, and consider the evidence in executive session. I should expect the President to do the same thing. If we had some evidence that we regarded as confidential, that the Senate thought should not be given to the public, the President might think otherwise, that it would not be harmful, and both sides might be acting in perfect good faith. I am going on the theory now that both the Executive and the Senate are acting in good faith. If the President thought the evidence ought to be given to the public and the Senate sent it to him in confidence, certainly he would not give it publicity, even though he thought it ought to be made public. If he received it from the Senate in confidence, he would, of course, as a gentleman, keep it in confidence. If we get information from the President in confidence, we will keep it and consider it in executive session; but that it should be denied to the Senate it seems to me is absolutely without any defense, particularly in relation to a treaty.

In agreeing to a treaty with several foreign nations, where peace or war may some day be at stake on account of the construction given to that treaty, we do not want to take any chance on having somebody in an arbitration tribunal or in some other organization where it is submitted for judgment to avoid war rise up and say, "Here are the secret documents; here are the letters; here are the communications. They put a construction on this word or that word, on this sentence or that sentence, different from what it would ordinarily receive." So I think we are approaching an important proposition. If it is true that these documents have no bearing, if it is true that they are laughable, as the Senator from Arkansas intimates, certainly it will not hurt anything to send them to us and let us see them before we act officially on this treaty.

Mr. President, I speak as one who expects to vote for the ratification of this treaty. Unless, between now and the time I am called upon to cast my vote, something arises which convinces me that I ought to vote otherwise, I expect to vote for its ratification. We are told that the Secretary of State says, "There is nothing held back of any importance. You consider it with what I and perhaps the President and his advisers are willing to send to you, and get nothing else."

I might pay a little bit more respect to the judgment of the Secretary of State if it had not been for something that happened in the consideration of this very treaty. It seems that he sent a letter to the Committee on Foreign Relations, and published it. I presume, in addition to that. Anyway, it was published all over the United States, in all of the newspapers. In that letter he showed by a precedent that this information should not be given; that the State Department or the President was not called upon to give it; and he gave a precedent which he said was established in a communication by George Washington, the first President of the United States. Here is what he said. He quoted from George Washington:

The nature of foreign negotiations requires caution, and their success must often depend on secrecy, and even when brought to a conclusion a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic, for this might have a pernicious influence on future negotiations or produce immediate inconveniences, perhaps danger and mischief, in relation to other powers.

That is the end of the quotation. I, like all the other people of the United States, read that in the newspapers assuming that it was unmodified, assuming that it was 100 per cent what it stated itself to be, and that it was the words of George Washington. I had a great effect upon me. While I do not think we are bound even to follow any President, or any other man, yet I would give great consideration to the judgment of a great leader and one of the founders of our country like George Washington when he had expressed himself once upon this question, and perhaps it would be the moving thing that would control my vote. But when the Secretary of State quoted that, Mr. President, he quoted only part of the message. He omitted a quotation that completely modifies the words I have read. In other words, he told only half of the story. He did not tell the committee that that message, in the first place, was sent to the House of Representatives, which, under the Constitution of the United States, has no power to negotiate or pass on treaties with foreign governments.

Mr. REED. Mr. President, will the Senator permit an interruption?

Mr. NORRIS. Yes.

Mr. REED. I know the Senator does not want to make a mistake in his statement.

Mr. NORRIS. No; I do not.

Mr. REED. In Secretary Stimson's letter the quotation is introduced with these words:

In reply to a resolution of the House of Representatives.

Mr. NORRIS. I stand corrected. That is correct. I remember reading that, and I am obliged to the Senator for telling me. He did state that it went to the House of Representatives; but the thing that he omitted to say was the thing that I am now going to mention. He stopped almost in the middle of a sentence. He stopped in the middle of a paragraph. He conveyed only half of the idea. If he had quoted further, this is what he would have quoted from the same message of George Washington to the House of Representatives:

The necessity of such caution and secrecy was one cogent reason for vesting the power of making treaties in the President, with the advice and consent of the Senate, the principle on which that body was formed confining it to a small number of Members. To admit, then, a right in the House of Representatives to demand and to have as a matter of course all the papers respecting a negotiation with a foreign power would be to establish a dangerous precedent.

Further on in the same message George Washington said:

I repeat that I have no disposition to withhold any information which the duty of my station will permit or the public good shall require to be disclosed, and, in fact, all the papers affecting the negotiation with Great Britain were laid before the Senate when the treaty itself was communicated for their consideration and advice.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. NORRIS. I yield.

Mr. SHIPSTEAD. If Mr. Stimson should in a court of law quote a part of the facts and leave out a very essential part of the same statement of facts, what does the Senator think the court would do if that were called to its attention?

Mr. NORRIS. Of course, it would depend upon the case. If he were trying to deceive the court with that kind of a proposition, he probably would be held in contempt of court and sent to jail. A statement of only part of the truth is sometimes more misleading than the statement of an abstract falsehood, as everybody knows who has had any experience in life.

Mr. SHIPSTEAD. Or a flat denial.

Mr. NORRIS. Or a flat denial.

Mr. President, when the Secretary of State sends that kind of information in regard to a treaty to a committee having jurisdiction of the subject, and to which the treaty was referred in the regular, legal way for consideration, and quotes a message of a President of the United States by omitting from it the virile, vital part of it that completely contradicts the part he does produce, how much credence should we give now to his word when he says there is nothing in this evidence that amounts to anything and that we had better go on without it?

I confess that when I read the entire message I could not at first believe that such a thing could be possible; and now the same man who gave that kind of information to the committee says that we ought not to have any more of these papers, because there is nothing of importance in the papers.

Mr. President, if the President of the United States, answering this resolution, says that he is sending this information to the Senate in confidence, that in his judgment it ought not to be given publicly, then the Senate must receive it in confidence or must reject it; and, as far as I am concerned, I will take the President's word for it. If he wants it to be considered executive, if he wants us to consider it in confidence, I have no doubt but that the Senate will consider it that way. I know, as far as I am concerned, that I would not receive it unless I did consider it in that way; so that it is in the hands of the President. If he has had some negotiation, or the Secretary of State has, or some other officials under him have had, with another government that would be embarrassing if it were given to the public, I am not one who wants to give it to the public. I would not be in favor of giving it to the public. Even though I believed it were absolutely harmless, if we received it in confidence, we should, of course, keep that confidence inviolate. But that we ought to have the information in passing on this treaty nobody can deny.

Why was the evidence given to the Senator from Pennsylvania? Why was the evidence given to the Senator from Arkansas? Who knows that they have all of it? They say they have, and, of course, they are honest in their conviction and think they have, but perhaps they have not. They have the word of the Secretary of State that they have all of it. It may be like the message of Washington, to which I referred;

they may have only part of it, and he may have retained the most important part of it.

I understand that diplomatic difficulties have arisen in the past between our Government and other governments, where our Government thought that upon the face of a treaty we were entitled to certain things, and when they got into the negotiation with the foreign country, they were confronted with secret correspondence out of which the treaty was negotiated, and immediately surrendered their claim because they had in effect modified the treaty by a gentleman's agreement, or a secret understanding of some kind. Does the Senator want to approve a treaty which might lead to that kind of an evil result? If it were an ordinary statute, I would not care so much about it, but it is more important than a statute; it may mean peace or war. Of course, it may be just as the Senator from Pennsylvania says—and I hope it is—that these things have no important bearing upon the ratifying of this treaty.

Mr. President, it is proposed to put into the resolution the words "if not incompatible with the public interest." In a technical sense I do not think that would change the resolution one particle. Legally it is probably just the same.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. ALLEN. Would the Senator from Nebraska be willing to substitute for the clause "if not incompatible with the public interest" the provision that these documents should be considered in closed executive session?

Mr. NORRIS. Mr. President, I presume the Senator was not here when I interrupted the Senator from Oklahoma, who had offered an amendment to that effect. I stated to him then that I thought he was offering his amendment too soon. It may be that the President would not agree with what has been said in regard to keeping these things secret. It may be that the President will think that there would be no harm in giving publicity to them, and he may just send them in without any restriction. Until the President expresses himself, I do not want to go on record as saying now that this treaty shall be considered in closed executive session. I do not want to consider it in closed executive session unless the President thinks it ought to be so considered. I am willing to leave it to him, and when he sends these documents in, if he sends them in as confidential, I would be opposed to even receiving them unless we complied with his request to keep them confidential. Of course, we ought to do that.

Mr. ALLEN. Mr. President, the Senator is familiar with the fact that there has been created an impression that those who are now forwarding the McKellar resolution did not wish to receive this material in confidence. I presume the Senator is familiar with that.

Mr. NORRIS. No; I am not familiar with it. Of course, I am speaking for myself, but in accordance with what I think other Senators with whom I have talked, and quite a good many Senators think, but I can not conceive of the Senate accepting a confidential communication and giving publicity to it without the consent of the President. I would not think of such a thing.

Mr. BORAH. Mr. President, will the Senator yield to me?

Mr. NORRIS. I yield.

Mr. BORAH. It seems to me that this question is not a question of contract, a question of negotiation between the President and the Senate. The President can send these documents here, and can send them, if he desires to, with such instructions as he desires to annex to them; for instance, that they should be considered in confidence. Then the Senate, upon its honor and its sense of public duty, must determine for itself what its duties are with regard to that matter.

As the Senator from Nebraska has said, I presume the Senate would never make the documents public under such circumstances. But I do not like the idea of negotiating, entering into a contract, and making agreements with reference to those conditions. We have a sense of public honor and a sense of responsibility, and the President has a sense of public honor and a sense of responsibility, and as they are expressed by our actions we are bound by them.

Mr. NORRIS. Mr. President, I agree with the Senator from Idaho. I would not want to put that kind of a provision in the resolution now, and do it in advance, because we have not yet heard from the President of the United States officially as to whether he thinks the documents ought to be kept confidential or considered in public. He is one of the negotiators of the pending treaty. He is equal with the Senate. Ninety-six men here compose one unit, the President composes the other. We have to unite and agree on a certain thing or it will not be effective. That thing is a treaty. The President, as one branch of the treaty-making power of the Government, will say, for instance, "This information is confidential. It must not be

given to the public." But because the Senate has the same responsibility upon its shoulders that the President has, he sends the information to the Senate with that kind of an injunction. The Senate could say, "We will not receive these communications in confidence," and could send them back. I take it the Senate would not do that. I do not think for a moment it would do that. But it would have the power to do it. Certainly, under no consideration, would the Senate, with any sense of honor, accept the documents in confidence and then give them to the public. That would not be honorable.

Mr. ALLEN. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. ALLEN. In view of the President's message to Congress, in view of the statements made by the Senator from Pennsylvania, in which he has made it perfectly clear that he has possession of these secret documents, and that he will be very glad indeed to show them to any Senator who wishes to receive them in confidence, and in view of the fact that the main objection here has been to bringing of the documents into an open session of the Senate because there are some delicate matters in them—in view of all that, are we not doing a lot of shadow boxing when we pretend that we do not know what the President might wish in reference to this matter?

Mr. NORRIS. Mr. President, if the Senator is right, then all the President has to do is to say so, and he has not said so yet. It will take only one sentence. He can say, "I send these in response to your resolution in confidence." That is all he has to say.

Mr. ALLEN. If he obeys the spirit and the fashion of the resolution, he will not be safe in doing that.

Mr. NORRIS. I think he will. We have not tried to provide in the resolution the method by which the President shall supply the information. The resolution simply says that "the President be, and he is hereby, requested to submit to the Senate all letters, cablegrams, minutes, memoranda, instructions, and dispatches and all records, files, and other information touching the negotiations of said London naval treaty."

Mr. JOHNSON. Mr. President, will the Senator from Nebraska yield for a moment?

Mr. NORRIS. I yield.

Mr. JOHNSON. The very cognate situation we have in the Foreign Relations Committee at the present moment. Certain documents have been sent to the Foreign Relations Committee by the Secretary of State. He has attached to his letter of transmittal a statement that they must be received in confidence. They have been thus received. They rest in the archives of the Foreign Relations Committee at the present moment, and they answer conclusively the specious argument which has been made here about what may be contained in papers which are thus transmitted, for there is not a line or a syllable or a word of the character that is indicated by the Senator from Arkansas or the Senator from Pennsylvania of comments upon individuals and the like which nobody wants in connection with these papers.

Mr. ALLEN. Mr. President, will the Senator from California answer a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield for that purpose?

Mr. NORRIS. I yield.

Mr. ALLEN. Has not the Senator from California indicated that he did not wish to discuss in confidence this material sent in confidence to the committee?

Mr. JOHNSON. I have intimated that papers received in this fashion could not be received otherwise than in confidence, but I thought it outrageous, and I thought it was a violation of the privileges of the committee and the rights of the Senate that it should be bound on documents and papers which it believed pertinent to the issue, which did not in any way involve any scandal, any question of hostility to another nation, and the like, by the mere ipse dixit of the Secretary of State.

Mr. ALLEN. Let me ask the Senator another question.

The PRESIDING OFFICER. Does the Senator from Nebraska yield?

Mr. ALLEN. This will be the last question. The Senator has been very courteous.

Mr. NORRIS. I yield.

Mr. ALLEN. The Senator reserves to himself the right to determine whether he should discuss in confidence that which was sent to him in confidence, if he discussed it at all.

Mr. JOHNSON. I do not reserve the right to discuss it at all. I recognize, if I receive a document in confidence, that I must keep that confidence inviolate, and so, in the discussion of this treaty, I have gone to the newspapers of the world rather than to the very papers which are found in the Foreign Relations Committee office, which do nobody any harm, which simply

show successive steps, and the like. I have gone to the press to get my information.

Of course, one can not receive a thing in confidence and violate that confidence. That goes without saying. But for anyone to send Senators that which is pertinent, and put an embargo on it, violates, first, a Senator's right; next, the right of the Senate, and is the assumption and arrogation of a power by a particular individual which should not be assumed or arrogated.

Mr. ALLEN. I can not presume any longer on the time of the Senator from Nebraska; but a great many questions come into my mind touching the situation of the Senator from California.

Mr. NORRIS. Mr. President, if Senators would drive out of their minds now any thought that this resolution would have the effect of creating any embarrassment for anybody, or that those who favor the amendment are trying to create embarrassment for somebody, I think that would go a long way toward settling this matter.

I do not want to be understood for one moment as disputing what the Senator from Pennsylvania said or what the Senator from Arkansas said, that these documents, about which they know and about which we do not know, and which are part of the negotiations of this treaty, will have nothing to do with the consideration of the treaty. They may be perfectly right. But I have a responsibility, as well as the Senator from Pennsylvania. I have the same responsibility the Senator from Arkansas has. I can not take somebody else's word about what my duty is. I am called upon as one Member of the Senate to pass upon a treaty. I want to know what the negotiations were. I want to know all the facts surrounding the writing of that treaty. I have a right to know. Nobody disputes that. Even if I did not want to know, the responsibility of my position makes it imperative that I assume that obligation, and I have no right to pass it off on somebody else.

There is nothing wrong about that. Nobody can criticize that position, it seems to me. The President of the United States can not criticize it, and if these things do not amount to anything, if they are nothing, if they are laughable, then why not send them here and end the controversy, and nobody will be hurt? It would not hurt anybody.

Mr. ALLEN and Mr. McKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. NORRIS. I yield first to the Senator from Kansas.

Mr. ALLEN. Of course, the Senator from Nebraska is familiar with the fact that a new situation is created in the fact that we now hold our executive sessions in the open. He is familiar with the fact that there was every expectation that if this material were sent here it would be discussed in the open; and there being some features in the material which are delicate, which should not be discussed in the open, is it not perfectly natural that those of us who stand as we do in this situation desire to have safeguarded the State Department's wish that this material be respected?

Mr. NORRIS. I agree with the Senator. I will go just as far as the Senator to safeguard it.

Mr. ALLEN. Is it not true that a new situation attaches which has been created by the fact that we now meet in open executive session?

Mr. NORRIS. A new situation has come about in that the Secretary of State has declined to send some information that members of the committee and other Senators think we ought to have before we can pass on the treaty. If that is on the theory that it is going to be discussed in open executive session, we can meet that objection at once.

Mr. ALLEN. It is manifestly upon that theory.

Mr. NORRIS. I am inclined to think the Senator is right. That is the reason why the documents are not being sent. But the Senator from Kansas must realize that the Senate of the United States can consider them in closed executive session. We will consider them in closed executive session if the President of the United States so desires.

Mr. McKELLAR. Mr. President, will the Senator yield to me now?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. I yield.

Mr. McKELLAR. I merely wish to call the attention of the Senator to the fact that no possible criticism of the President is suggested in the resolution. It has nothing in its nature that would suggest such a thing. The fact that it does not contain the words "if not incompatible with the public interest" is based on a splendid precedent. Two resolutions were before the Foreign Relations Committee containing substantially the

same language. One of them contained the words "if not incompatible with the public interest." That resolution was voted down by the Foreign Relations Committee. The other resolution did not have that phrase in it and was adopted by the Foreign Relations Committee by a vote of 10 to 7. I am sure the Foreign Relations Committee had no intention of casting any reflection upon the President when it adopted the resolution without the words "if not incompatible with the public interest."

Mr. NORRIS. I thank the Senator.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Indiana.

Mr. ROBINSON of Indiana. In connection with the observation made by the Senator from Kansas let us assume that it might be developed that there are in these secret negotiations or secret documents some points on which the high contracting powers may rely with much faith so far as they are concerned—I mean the Governments of Japan and Great Britain. Let us assume that they are familiar with these secret documents and that ultimately a breach of the treaty is alleged by either of them on our part or that we allege a breach of the treaty during the life of the treaty. Then the secret documents become known to everybody. They may assert those documents as reasons for the position they assume.

If that be true, why should not the people of the United States know what is in those documents?

Mr. NORRIS. More than that, why should not the Senate know what is in the documents before we vote on the treaty? That is the time we should know about them.

Mr. ROBINSON of Indiana. But may I not observe further, in connection with what was said by the Senator from Kansas, that a changed situation has developed here and that we meet largely in open executive session. In that event, then, I ask what great harm could come even in open executive session if the people of the country knew what their delegation at London did and knew just what the elements were which went to make up the treaty, when other nations know all about them and when they may have alleged, in the case cited by me, these very secret documents in their interpretation and in their own favor?

Mr. MOSES. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from New Hampshire.

Mr. MOSES. I merely wish to reassure the Senator from Kansas [Mr. ALLEN] that under the new rules of the Senate which govern the conduct of executive business it is always in order to move to close the doors for the consideration of a question. That question is not discussed at all in open session. The minute such a motion is made the doors are closed and then the Senate behind closed doors can determine what it will do in secret executive session.

Mr. ALLEN. I am perfectly familiar with that rule. I wish to ask the Senator from Indiana this question: Would he be opposed to considering behind closed doors the matter which we are now discussing?

Mr. ROBINSON of Indiana. So far as I am concerned, I have already said that. I am on record on that proposition before the Committee on Foreign Relations. I would not be opposed to that procedure, but the Senate ought to have the information before it acts on the treaty.

Mr. NORRIS. Now, let me conclude. When I was interrupted I was about to say a few words with reference to the proposed amendment of the Senator from Arkansas [Mr. Robinson] to insert in the resolution the words "if not incompatible with the public interest." This is not a resolution calling for information on an ordinary subject of legislation. It is different from a resolution of this kind which we ordinarily introduce. It is calling for documents and evidence that we must have to perform our constitutional duty. I do not want to suggest to the President by putting those words in the resolution an easy way to avoid it by simply saying "it is incompatible with the public interest." If they are left out and he declines to send the documents, he will give as a reason very likely that they are confidential and that he does not want to send them on that account, or if he does send them then he will say that he is sending them in confidence to be considered in secret executive session.

It seems to me there is no question of disrespect; there is no question of discourtesy involved in the language as it stands now. We ought to have this evidence for the purpose of seeing whether, in our judgment, it is material or has anything to do with the case. If it has not, we will disregard it. If it has, we will give it such weight as we think it entitled to have. I can easily conceive of a condition where it would change the votes of Senators; where it might be deemed necessary to put some reservation on the treaty in order to meet contingencies

which might arise if this secret evidence is laid before us. It may be that nothing of the kind will result, but we ought to make the record clear.

It may be, and I think probably will be shown, that Senators have given us a correct idea of the correspondence, but we have not officially seen it, we have not had an opportunity to pass on it, we have not had an opportunity to completely perform our constitutional functions. There is no excuse to say, "Here is a Senator who had it in his room and said we could come and look at it if we wanted to do so." I think the Senator from California [Mr. JOHNSON] was justified in declining to get the information in that way. The suggestion was made by another Senator as to whether that Senator had it legally. At least that is not the way to consider a treaty in the Senate. We ought to have official action and a record made so that in all future difficulties that may arise, if any, under this treaty, if it is ratified, there may be no possibility of any government coming in and saying, "We had a secret understanding."

I read the other day a magazine article, I think from a Japanese magazine, in which the writer alleged that in relation to this very treaty there is a gentleman's understanding between the representatives of the United States and the representatives of Japan and Great Britain that the cruisers which we would be allowed to construct to arrive at a basis of parity with Great Britain under the treaty would not be built. That is what was alleged in the published article. That has been denied by representatives of the United States Government. But at least there is an allegation that there is a gentleman's agreement between the officials of our Government and the officials of the other nations that if we will all ratify the treaty the United States will not build the ships which we are privileged to build under the treaty and which we are not compelled to build under the treaty.

That represents the principle involved. Personally I have an idea that I would be opposed to the building of those ships; perhaps not; but as I understand it now I would be. I would vote against their construction. But I do not want anybody to say to me, "You are already precluded from voting to build those ships by a secret understanding that was made between your Government and mine before this treaty was signed." I want to clear up those cobwebs. I do not want to give up the right to do what this treaty provides my Government shall have the right to do. Yet published to the world is the assertion that an agreement is already made although, as I said, it is denied on the other side.

At least it seems to me, Senators, we ought to pass the resolution in respectful language. If anybody can suggest any word of disrespect or lack of courtesy in it, for one I would vote to correct it. If we adopt the resolution and the President sends the material here in confidence, even though after I have examined it fully I reach the conclusion that there is nothing in the request that it should be kept confidential, but that it ought to be published, I will still respect the adjurations given us by the Chief Executive and permit him to have his way about it, because I think he ought to have it whether I agree with him or not. He is a part of the treaty-making power. He has the evidence. We are a part of the treaty-making power and we do not have it. I think if the President of the United States says to the Senate, "I do not want this evidence divulged," it would be my duty and the duty of the Senate not to divulge it, even though personally I could see no reason why it should not be divulged.

Mr. GEORGE. Mr. President, I do not know whether it is in order at this time, but I send to the desk a substitute which I wish to propose as soon as it is in order. I ask the clerk to read it, and if a vote is not to be taken on the resolution this afternoon I ask to have it printed and lie on the table.

The PRESIDING OFFICER. The clerk will read the proposed substitute for the information of the Senate.

The legislative clerk read as follows:

Strike out all after the word "Resolved" and insert in lieu thereof: "That the President is requested to submit to the Senate all letters, cablegrams, minutes, memoranda, instructions, and dispatches, and all record files and other information touching the negotiations of the London naval treaty now before the Senate, with such recommendation as he may make with respect to the use of such documents or any of them by the Senate."

The PRESIDING OFFICER. The substitute is not in order until after the amendment of the Senator from Arkansas is disposed of.

Mr. GEORGE. Then I will ask that it may be printed and lie on the table.

The PRESIDING OFFICER. That will be done.

Mr. BLACK. Mr. President, may I ask the Senator from Georgia a question? I want to get the idea of the substitute.

As I understand it, the substitute simply asks for the documents with the additional request that any recommendation the President desires to make should be sent with them.

Mr. GEORGE. With such recommendation as the President may make respecting their use by the Senate. I would offer it as an amendment to the amendment of the Senator from Arkansas—that is, in lieu of the clause "if not incompatible with the public interest"—but it can not be made to fit in with the language of the resolution in the place where his amendment is proposed to be inserted.

Mr. BLACK. Are we to understand from the Senator's substitute that the Senator is of the opinion that the President can make recommendations and that those recommendations should be given weight by the Senate in determining its duty?

Mr. GEORGE. I do not think there is any doubt in the world about it, because under any view of it the President and the Senate jointly make a treaty. I think the President's recommendation, as just expressed by the Senator from Nebraska [Mr. NORRIS], would be practically controlling upon any Senator—not necessarily, of course, in some cases, but it would be practically controlling, because the President has certainly a coequal responsibility with the Senate in the making of a treaty.

Mr. BLACK. I absolutely agree with the Senator.

Mr. GEORGE. My position is that the Senate, as a matter of right, can call for the documents; that to include in the resolution the phrase "if not incompatible with the public interest," which, in the first place, is inappropriate, is to invite a declaration, perhaps, of the Senate's request without any necessity for so doing. In lieu of that I had rather ask for the documents, with such recommendation as the President may make respecting their use; and I am sure that the Senate would be disposed to respect the recommendation of the President if that recommendation were that they should be considered in confidence or in closed executive session. I have no hesitancy in expressing the feeling that the Senate would certainly recognize the co-responsibility of the President in the vital matter of making treaties, and would, in all probability, in any case be governed by the President's recommendations.

Mr. BLACK. I want to get this matter clear. The Senator's proposed substitute would not carry out the idea, nor is it so intended that the Senate did not have the right, if it saw fit, to consider the documents openly in public session?

Mr. GEORGE. Exactly. On the contrary, the documents would come to the Senate for the final determination by the Senate; but they would come with the recommendation of the President respecting their use. If the Senate then, holding equal responsibility with the President, should see fit to make them public, it would be the Senate's responsibility and not the President's. The President would have discharged his obligation, as I see it.

Mr. BLACK. The Senator, as I understand, takes the position that we have taken from the beginning, that the President's opinion should be given great weight, and most likely would be controlling on the Senate, but that it would not be compulsory, because the Senate has a duty to perform the same as has the President.

Mr. GEORGE. That is exactly my position.

Mr. BLACK. That is what is intended to be accomplished by the resolution.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arkansas [Mr. ROBINSON].

Mr. NORRIS. I ask for the yeas and nays.

Mr. ROBINSON of Indiana. Mr. President, it is my understanding that the Senator from Minnesota [Mr. SHIPSTEAD] desired to speak on this question, but he desired to speak in the morning and not this evening. I understood there would be no vote on the question to-day, though I may have misunderstood the Senator from Idaho [Mr. BORAH] in that respect.

Mr. BORAH. I do not want to be placed in the position of misleading the Senator from Indiana. The Senator from Indiana had suggested that the Senator from Minnesota desired to speak, but did not desire to speak this evening. I stated that, in my opinion, the debate would continue until 5 o'clock, at which time I was going to move that the Senate adjourn. I did not mean to be understood as saying that I would move to adjourn prior to 5 o'clock.

Mr. ROBINSON of Indiana. Possibly I may have misunderstood the Senator from Idaho. In that event, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Copper	Fess	Goldsborough
Bingham	Copeland	George	Hale
Black	Couzens	Gillett	Hastings
Borah	Dale	Glenn	Hatfield

Hebert
Johnson
Jones
Kendrick
Keyes
La Follette
McCulloch
McKellar
McMaster
McNary

Metcalf
Moses
Norris
Nye
Oddie
Overman
Phipps
Reed
Robinson, Ark.
Robinson, Ind.

Robison, Ky.
Schall
Sheppard
Shipstead
Shortridge
Steinwer
Stephens
Swanson
Thomas, Idaho
Thomas, Okla.

Townsend
Trammell
Vandenberg
Walcott
Walsh, Mass.
Walsh, Mont.
Watson

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, a quorum is present.

Mr. SHIPSTEAD. Mr. President, I think it very unfortunate that this controversy has arisen over these documents. Whatever we may think of the treaty itself, on which there may be honest difference of opinion, it seems to me that in good faith—and I do not accuse anyone of lack of good faith; I do not question anyone's motives—there can be no difference of opinion as to the Senate's right to these documents.

If the Senate is coordinate with the President in the treaty-making power—and the Senate is coordinate with the President in the making of treaties—it naturally follows that the entire subject matter, all the facts in the case, must be in the hands both of the President and of the Senate; there must be joint ownership and joint custody of these documents if the two branches of the Government are to coordinate and agree. With that joint ownership and custody must naturally go a joint responsibility for the disposition of the documents and the decision whether they shall be made public or whether they shall be kept confidential.

It seems to me, on that basis, it would be improper for either the President or the Senate to make these documents public without the consent of the other branch of the treaty-making power; but the question of the right of the Senate to have these documents in its possession can not be questioned in the light of all the history that has gone by in the past in connection with the treaty-making process of the Government of the United States.

I have failed to find one single instance where the Chief Executive has ever refused the Senate documents that it requested during the process of negotiating or making a treaty.

It has been said that the needs of the situation are satisfied because two Members of the Senate were appointed by the President to help negotiate this proposed treaty. I have the highest respect for both these two colleagues, the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED]; but I can not see how, by any stretch of the imagination, two men, though they be Senators, appointed by the President can be said to represent the Senate of the United States in the process of negotiating a treaty. If they were to serve in such capacity to give advice on behalf of the Senate, they must necessarily be appointed by the Senate as such and be given their instructions by the Senate.

Some would have us believe that the Senate's function is fulfilled when advice and consent of the Senate is given after a negotiation; that "advice and consent," as we find in the Constitution, is limited to ratification or rejection of the treaty after it is negotiated. It might be reasonable to ask, What is the good of giving advice after an act is done? If "advice" does not mean advice before the act is taken, before the treaty is negotiated and during negotiation, what can "advice" mean? Consent to the signature of the treaty and the promulgation of it comes with the ratification of the treaty.

If these things be true, it can not be said on any grounds of justification that the sole and exclusive power of negotiation of a treaty is vested in the President. There is a possibility of a very dangerous precedent being established here if the Senate of the United States on this occasion is willing to be recorded on this proposition to the effect that the Senate is not entitled to all documents prior to and during the negotiation of a treaty. If the Senate is willing to establish a precedent by which it will divest itself of its prerogative and its duties as a part of the treaty-making power, then this resolution ought to be defeated.

Certainly there is no one here who wants to be discourteous to the President of the United States. A request for documents to which we are plainly entitled can not be considered an affront to the Executive. Those who so desire, and want to make an issue out of it, might say that the denial of the documents is an affront to the Senate of the United States. I do not make that charge. I do not believe the President refused these documents because he intended any affront to the Senate of the United States. I think the President is ill-advised. I think it is very unfortunate. I do not think that the President intended to affront the Senate, nor do I believe that the Senate in any way intends an affront to the President in passing this resolution.

It may be true that these documents are not important. When international controversies are submitted to a court of arbitration, however, documents exchanged prior to and during

the negotiation have been found at times to be very important. The court would call for them. In this instance the documents may not be important; but if the Senate establishes a precedent that may be followed in the future by Senators in the next 100 or 200 years, this country may find itself in a predicament when a court of arbitration calls for secret documents, and others have negotiated treaties and made agreements that we would not charge the negotiators of the present instrument to have agreed to.

I come now to the question of whether or not the amendment of the Senator from Arkansas [Mr. ROBINSON] ought to be adopted, which requests the President to send the documents to the Senate provided he does not deem it incompatible with the public interest.

The Constitution does not say that the President shall have the advice and consent of the Senate provided he does not find such advice and consent incompatible with the public interest. The Constitution says he shall negotiate treaties by and with the advice and consent of the Senate. There is no discretion left to the Chief Executive about consulting the Senate. There is no provision that the President shall have more power than the Senate in the negotiation of treaties. There is no provision, and, consequently, there can be no reason for arguing, that the Chief Executive has the sole control and custody of the documents involved in making a treaty. The two powers being coordinate and equal, we have a situation of two men being equal partners in business. One partner says to the other, "I want to look at the books." The second partner says, "Why, that would be incompatible with the good of the business, and I refuse to show you the books."

I know that it is the custom of the Senate ordinarily, in the ordinary transactions of business, when we request certain documents or papers of the Chief Executive, to say, "if not incompatible with the public interest"; and I have no objection to that. In the ordinary run of legislative duties, the ordinary process of legislation, there may be many things of which the President has knowledge that he may feel and Senators may feel and Congress may feel it would not be in the public interest to make public; but in my opinion that is an entirely different proposition than when we come to act upon a treaty.

The power of the Senate and the power of the Executive are enumerated in the Constitution. It says that the President shall have the advice of the Senate and the consent of the Senate. If "advice" can mean anything, he must be advised before the treaty is negotiated and when it is being negotiated. Advice afterward would be worthless, unless by "advice" is meant rejection of the treaty; but the advice mentioned in the Constitution can not be so interpreted. Therefore, if the word means anything, it means that the Senate's advice must be had throughout the negotiations, making the Senate a treaty-making power, coordinate in power and authority with the President. Therefore, all of the subject matter must be before the Senate as well as before the Executive if the Senate is to consent and agree to the treaty.

I think the amendment offered by the Senator from Arkansas, under these circumstances, should not be adopted. I say that with all due respect to the Senator, and I say it with all due respect to the Chief Executive. When the documents are here, if and when they come here, it seems to me it will be then for the Senate to determine what they will do with them. So far as I am concerned, I should feel compelled to hold that the documents are the joint property of the Chief Executive and the Senate, that they are jointly the custodians of these documents, and that neither the Senate nor the President would have a right to make them public or make any disposition of them without the consent of the other party to the negotiation and ratification of the treaty.

Mr. SHORTRIDGE. Mr. President—

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Minnesota yield to the Senator from California?

Mr. SHIPSTEAD. Yes; I yield.

Mr. SHORTRIDGE. In view of that statement of the position of the Senator, if this resolution should pass as proposed, or amended as suggested by the Senator from Arkansas, and the President should respond to the request for the documents referred to and send them to the Senate, accompanied by an expression of opinion that they should be considered in secret executive session, am I then to understand that the Senator would respect his view, and, if an appropriate motion should be made to go into secret executive session, that the Senator from Minnesota would favor such a motion?

Mr. SHIPSTEAD. Yes; I would. I can conceive of many instances where I would not be in favor of making public documents that would be in a sense immaterial to a treaty, but in

another sense might cause a great deal of mischief. I am not arguing the question of publicity.

Mr. SHORTRIDGE. I understand. My question implied that the President would respond and express his view, his firm conviction, that the documents in question should be considered by the Senate in secret executive session, and since, according to the Senator's view, they are held jointly—

Mr. SHIPSTEAD. That is my opinion.

Mr. SHORTRIDGE. I take it that the Senator would join with others in favor of considering them in secret executive session.

Mr. SHIPSTEAD. Yes. The Senator asks me a hypothetical question, but I think it is a fair one; and I am willing to say that so far as I am personally concerned that would be my view, and I should so cast my vote. Other Senators might disagree with me.

I do not intend to take up any great amount of time. I have not heard this debate. I have been unable to be present until this afternoon. I wonder if one thing has been called to the attention of the Senate in this debate.

In the letter of the Secretary of State to the Committee on Foreign Relations he calls attention to the statement in his first letter that—

The question whether this treaty is or is not in the interest of the United States and should or should not be ratified by the Senate must in the last event be determined from the language of the document itself and not from extraneous matter.

I do not intend to argue that point. I will, however, quote from Wignmore on Evidence, Volume IV, page 2470, where he says:

Once freed from the primitive formalism which views the document as a self-contained and self-operative formula, we can fully appreciate the modern principle that the words of a document are never anything but indices to extrinsic things, and that therefore all the circumstances must be considered which go to make clear the sense of the words—that is, their associations with things.

In this case it seems to me the word "document" not only means a civil contract but it would apply also particularly to a treaty. I remember that when the Kellogg pact was discussed and debated here in the Senate, together with the reservations made to that treaty by Great Britain and other foreign governments, to which we consented, the charge was made that these reservations modified the treaty and took the teeth out of the treaty. I am perfectly well aware that that was denied; that it was charged that they did not affect the terms of the treaty. I doubt very much if anyone will have the courage to make that assertion from now on, after what has been going on since the ratification of the so-called peace pact.

There have been cited here in debate many instances of how documents have become very important many years after the ratification of a treaty. The controversy which arose between the United States and the Dominion of Canada over the boundary line of New Brunswick and the Alaska boundary question showed that the correspondence which passed between the negotiating powers became very important many years later when those questions were submitted to an arbitration tribunal.

From the Committee on Foreign Relations I filed quite an exhaustive report. I do not intend to repeat the subject matter of that report before the Senate. In view of the debate which took place here this afternoon I felt that I ought to say just a few words and explain why I felt that this amendment of the Senator from Arkansas should not be adopted. It would kill the purpose of the original resolution.

I think it very important that the Senate of the United States go on record as demanding these papers, not with the intention of being discourteous to the President of the United States but for the purpose of establishing a precedent so that for all time, when treaties are negotiated, the Senate shall be recognized as a part of the negotiating power prior to, during the giving of instruction to delegations, during the negotiations, and through the entire treaty-making process.

It was never the intention of the framers of the Constitution to give that power solely to the President. Before the Constitution was formed the Continental Congress was the negotiating power, and they selected men to negotiate the various treaties. When the Constitution was formed and the Federal Government was formed under the Constitution it was necessary, it was thought, to have some one to be the negotiator, and the President was made a part of the negotiating and treaty-making power. But he could only make treaties by and with the advice and consent of the Senate, Senators representing the various States, and it was required that two-thirds of the Senators present must be represented in the ratification of a treaty in

order that a minority present should not be able to bind a majority of the States of the Union.

I am not going to take the time this evening to read pages and pages and pages of precedents established by Presidents from Washington down to the present time, who always recognized the Senate as a part of the treaty-making power, gave all of the documents to the Senate, consulted the Senate before the initiation of negotiations, very often without negotiating a treaty, sent the documents which had been exchanged to the Senate, and the documents themselves became the agreement between the nations involved.

Having followed that precedent for nearly 150 years there is a greater principle involved here by far than as to what these particular documents may contain. The principle involved here is whether the Senate of the United States is willing to delegate to the Executive another prerogative, in addition to the many others which the Congress has delegated to the Executive in the past.

It was the intention that no one man should represent the people of the United States in the sovereign power of treaty making. The idea of making the Senate a coordinate part of the treaty-making power came from the feeling of distrust the American people had in connection with treaties affecting the people which had been carried out by the monarchs of the old times, when they made personal agreements privately and secretly among themselves and in such language that their subjects should not understand them. But in the United States every man and every woman is a sovereign, and we represent the sovereign people in the treaty-making power, but not as assistants to the Chief Executive; we are not limited to passing upon treaties after they are made, but it is our duty to advise first and then later consent on behalf of the sovereign people of the United States.

If a parliamentary question is in order, I would like to know what is before the Senate.

The PRESIDING OFFICER (Mr. JONES in the chair). The pending question is on the amendment proposed by the senior Senator from Arkansas [Mr. ROBINSON] to the resolution offered by the Senator from Tennessee [Mr. McKELLAR].

Mr. SHIPSTEAD. The Senator from Georgia [Mr. GEORGE] offered an amendment.

The PRESIDING OFFICER. That amendment, being in the nature of a substitute, will not be in order until the other amendment is disposed of.

Mr. McKELLAR. The Senator from Georgia offered a substitute, which he asked to have printed and lie on the table. It is not before the Senate. The pending question is on the amendment offered by the Senator from Arkansas.

Mr. SHIPSTEAD. The first question to be voted on by the Senate will be on the adoption of the amendment offered by the Senator from Arkansas?

The PRESIDING OFFICER. That is the pending question. Mr. REED. Let us vote on that now and let the vote on the resolution itself go over until to-morrow morning.

Mr. SHIPSTEAD. Very well.

Mr. McKELLAR. Mr. President, the Senator from Georgia is not in the Chamber, and I think it would be well to let the vote on the pending amendment go over until to-morrow.

Mr. REED. If the vote on the resolution goes over until to-morrow, the Senator from Georgia will have a chance to offer his substitute.

Mr. McKELLAR. I know that, but I hope the vote on the amendment will go over until to-morrow, too. Is it not about time to take a recess?

Mr. BORAH. Yes; it is about time to take a recess, but really I do not see why we should not vote on the Robinson amendment.

Mr. FESS. Let us vote.

Mr. SHIPSTEAD. If no agreement can be reached, I will continue.

Mr. BORAH. I do not wish to have the Senator forced to continue; he has stated to me that he does not desire to this evening, but I thought perhaps the suggestion of the Senator was that we should vote.

Mr. SHIPSTEAD. My suggestion simply was that I wished to be courteous to Senators; it is a hot day, and I did not want to take the Senate's time longer if Senators desire that we take a recess at this time.

Mr. BORAH. I have no desire to inconvenience the Senator.

AMERICA IN CHAINS—ADDRESS BY SENATOR COPELAND

Mr. WALSH of Massachusetts. Mr. President, on July 4 last the senior Senator from New York [Mr. COPELAND] delivered a very able address upon the occasion of the one hundred and forty-first annual celebration of the Tammany organization of New York. As in legislative session, I request that his ad-

dress at that celebration upon the timely subject America in Chains may be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It is fitting that our chief holiday should be celebrated by the Society of Tammany. This order was founded with the establishment of the National Government. It came into being within two weeks of the beginning of our country's life.

From earliest times patriotism has been the incentive and aim of the Columbian Order, the other name for Tammany. This society was described as a "fraternity of patriots, solemnly consecrated to the independence, the popular liberty, and the Federal union of the country." In the beginning its objects were: First, the perpetuity of democratic institutions; second, the benevolent care of Revolutionary soldiers and others of its members, their widows and orphans, and any persons who might appeal to their charity. Since those olden days the care of Civil War, Spanish War, and World War veterans has been added to the objects of the society.

It is interesting, and is a fact that should be repeated frequently, that the original members of Tammany Hall had belonged before the Revolution to the "Sons of Liberty" and the "Sons of St. Tammany," societies formed to promote the cause of independence. The patriotic ideals of 1789 are lived up to in this year of our Lord, 1930.

The parent organizations were founded to counteract the activities of other societies made up largely of Tories, who were open in their fealty to George III. In them were the men who, after the Revolution, under the leadership of Alexander Hamilton, became the organizers of the Federalist Party.

These men were rich and influential. They battled for Hamilton's plan of a Federalist President and Senate who were to hold office for life. It was their scheme to appoint the State governments, dominate Congress, and control the political life of the new country.

There was need for the Tammany Society. It was necessary that some powerful organization should combat the loyalist Tories. The founders of the Columbian Order did not forget how many patriots had been sent to prison ships to meet death; they did not forget the historical fact that the Tory mayor of New York, Matthews, had plotted to kidnap General Washington and even to assassinate his staff.

It was the plan of Hamilton and his followers to grant the franchise only to the rich. Even the Revolutionary soldiers whose means and property were meager were denied the right to vote. Indeed, the constitution of New York State in 1777 conferred the franchise only upon those who owned "freeholds to the value of £100, free of all debts." When it is recalled that \$500 in those days was equivalent probably to ten or fifteen thousand dollars to-day, it will be seen that the Tories sought to confer the franchise only upon the rich and to have the landed gentry in full possession of government.

At every election we witness the efforts of Tammany Hall to encourage voting by every man and woman, rich and poor, regardless of race or religion. This activity is merely another evidence of the devotion of Tammany to standards established 141 years ago.

Away back there banking and trade privileges and every material benefit that could be conferred upon them were monopolized by persons of wealth. Many of them had been traitors to the cause of liberty. The veterans of the patriotic army, made poor by their support of the Revolutionary cause, were disqualified. This society was founded as a protest against such evil designs.

Every member of Tammany can be proud of its motto: "Freedom our rock." Freedom, personal and political liberty, equal opportunity—these have been the ideals of the Tammany Society.

From the very beginning of our national life, as I stated, Tammany fought for universal suffrage. Every ancient and modern method for interfering with the liberties of the people was denounced by Tammany. This organization stood for reform measures and against imprisonment for debt. One of the orators on an occasion like this said, "We would rather be ruled by a man without an estate than by an estate without a man."

That has been the spirit of Tammany. Poverty has been no barrier to the holding of public office. Men and women have been exalted because of their personal deserts and not because of the unwarranted use of money or any measure of influence. In consequence, New York is the most democratic city in America. It is that largely because Tammany has made it so.

We hear much these days about the early history of our country. It is well to recall the fact that many of the founders of our Nation were officers in the Tammany Society. Early in its history provision was made for the office of great grand sachem. This office was conferred on Washington, John Adams, Jefferson, Madison, Monroe, John Quincy Adams, and Jackson. At least seven of the early Presidents held honorary office in the Tammany Society. Two of them, Monroe and Jackson, came personally to New York and presided over Tammany meetings.

I have no doubt that the respect in which Tammany was held by the founders of the Republic was due to the democratic ideals of the society. To serve the poor and to elect men to public office for their

manly qualities instead of wealth has been the purpose and practice of this society. No wonder this city has become the most democratic city in all the world.

THIS IS THE CHAINED AGE

An occasion like this, held on our chief national day, gives opportunity to consider the state of the Nation. Since Tammany has always resisted those evils which undermine our country's welfare, it is fitting that to-day we give thought to some of the evils which in our generation might well receive the attention of the Tammany Society.

As I view it, we are living in a chained age. As a country we have become fettered with chains. Conditions have arisen which threaten to destroy or at least to impair our liberty.

While it is not necessary to turn to the age of fable for examples of what I have in mind, I wish to remind you of the dreadful fate of Andromeda. She is one of the characters of Greek mythology.

You will recall that the mother of this beautiful girl was unduly proud of her own beauty. She dared to compare herself to the sea nymphs, and, according to the fable, the indignation of the nymphs was so aroused that they sent a prodigious sea monster to ravage the coast of Ethiopia. In those days, we are told, when personal or national calamity arose, it was customary to consult the oracle. The King was informed that to appease the deities he must chain his daughter to a rock and sacrifice her to the sea serpent. So poor Andromeda was chained to the rock to await a terrible fate.

It seems to me that Columbia, our beloved Columbia, is bound by many chains. Her state is almost as bad as that of Andromeda.

As a nation we are chained in our thinking, we are chained in our personal habits, we are chained in our buying and in our banking. If plans on foot are materialized, we will be chained in our educational methods.

As I review the history of the Tammany Society, I am not surprised that the present membership of this order is unanimous in the desire to break these fetters. It is their desire to release Columbia from the moral, political, and social effects of the imprisonment imposed upon her.

There is no need for rigid political censorship in a country like ours. The religious and moral convictions of our people, and their innate sense of what is right and wrong, afford all the censorship needed in a democracy. I have viewed with growing concern the efforts to regulate by law the thinking and habits and practices of a free people.

There must be found a way to break these chains. There must be found a way to release the Nation from these bonds which needlessly interfere with the freedom of a democracy.

CHAIN STORES AND BRANCH BANKS

The stability of the United States has rested on the small merchants, the small manufacturers, the independent business men. Free competition between individually owned and individually operated business establishments, has made this the great country it is to-day.

But what is happening? Mergers, chain stores, branch banking, and similar reorganizations are obliterating the ancient and honorable system. Absentee ownership and absentee operation are creating a new and novel America.

Perhaps the worst feature of this revolutionary change is the fact that it relates largely, for the present certainly, to the control of the Nation's food supply. It has been claimed by no less authority than the Government itself that attempts to monopolize have resulted in complete control in many food lines.

This control is known to be progressing by leaps and bounds. New fields are being invaded, and, according to the Attorney General of the United States, a half dozen groups "will, within the compass of a few years, control the quantity and price of each article of food found on the American table."

One who knows history can not look kindly upon the growth of the chain-store idea. It is demoralizing in the extreme.

Twenty-five years ago the substantial citizens of any community were the merchants and manufacturers, in most instances the small merchants and small manufacturers. They were the "leading citizens," the "big men" of the town. They deserved these titles, because they contributed to the social, political, religious, and community activities. They thought and acted in terms of the common good.

In periods of economic stress, when a "panic" occurred, or for any reason there was unemployment, nobody starved in consequence. These big-hearted storekeepers extended credit and carried the unfortunate family till times were brighter.

This practice may not have been "good business." The modern auditor would frown upon it, but happiness was fostered by it. In the long run, the merchant had a substantial business to pass on to his son when the owner was called to his reward.

Let a chain store open its doors in a city block, and 10 independent merchants will go out of business. Let a chain store enter a village, and every one of the established merchants will be hard hit at once. Within a few months most of the independents will be out of business.

In the long run the community will suffer. To begin with, there may be the bait of cheaper prices, brighter labels, and even larger packages. But when local competition is stifled and destroyed the public will pay for these temporary benefits, if they actually are bene-

fits when closely analyzed. Without the brisk competition of independent stores the chain store will have the public at its mercy.

We must not permit ourselves to be chained in buying and banking. For the common good we must do our best to preserve our fundamental institutions.

PROHIBITION

Perhaps the most conspicuous example of how America is being fettered is shown by the present state of what is commonly called "prohibition." Since the efforts to enforce an unenforceable law have resulted in dismal failure the word prohibition has become a hissing and a byword.

The history of America's attempts to deal with the liquor business is a story of disappointments and disaster. It dates back to the Constitutional Convention of 1787.

I took the occasion to consult such records as are extant relating to the proceedings in that convention. When the question of excise laws—sumptuary laws—was under consideration, it was strongly urged that they are offensive to all free people. Such laws render necessary a system of inquisitorial inspection. They open the way to abuse and fraud. They lead to smuggling with all its demoralizing consequences. This represents the views of the fathers, expressed 143 years ago.

We have but to read about the revolution now going on in India to find the effect such laws have on a people. The salt tax is offensive and gives excuse for the uprising of an oppressed nation. To boil sea water to get salt appears to be the exercise of a God-given right. The passage of a law to regulate a food practice, either for the purpose of raising revenue or for the control of a habit, is sure to be offensive to the spirit of freedom.

When such laws were considered in the Constitutional Convention of 1787, they were objected to as contrary to nature. They were voted down by the votes of eight States as against three. Delaware, Maryland, and Georgia were the only States consenting to give constitutional right to enact sumptuary laws.

The habits of an individual or a nation are so intensely personal that they can not be controlled by law. Appetite is beyond the reach of lawmakers.

No one can question the evils attending the inordinate use of strong drink. That such evils exist is universally recognized. From the beginning of history many procedures have been recommended to do away with these evils. Teaching, preaching, good example, legislative enactment—all these have been proposed and tried.

In our country the eighteenth amendment was adopted and the Volstead law enacted. These no doubt were well-intentioned efforts on the part of the Federal Government to control and even eliminate the evils of intemperance. However, there is a growing conviction on the part of thinking persons that these efforts have failed to accomplish what their authors intended. The question arises now: What is to be done about it?

By profession I am a physician. I am familiar with the history relating to the control and cure of disease. During the thousands of years that doctors have practiced medicine they have tried this, that, and the other method of treatment for a given disease. Procedures practiced even a century ago are laughed at to-day. It is probable that our first President, George Washington, was bled to death in an attempt to cure tonsillitis.

In medicine a doctor who continued to make use of a treatment which was found a generation ago to be useless, if not actually harmful, would be liable for malpractice. It is not to be expected that in a progressive world a physician should resort to long-abandoned treatment.

Why should we assume a different attitude toward a disease of the body politic? We have tried prohibition for a dozen years. What has it accomplished? Has it lessened the evils of strong drink? Increasing protests from former advocates of prohibition indicate that it has been a failure. What, if anything, should be done about it?

It must be borne in mind that this is a government of States. While Hamilton and his successors attempted to do away with the system, that form of government has been continued. In spite of increasing efforts in recent years to magnify the powers of the Federal Government and to place the State in a subordinate position, in most instances such efforts have failed.

The Constitution could never have been adopted except for the efforts of Mr. Madison and others. They took extraordinary pains to explain away the dangers of unnecessary and improper transfer of powers to the Federal Government.

In this connection I wish to quote the words of a great grand sachem of the Tammany Society. In one of the papers of *The Federalist*, No. 46, James Madison, the father of the Constitution and an officer of this society, wrote as follows:

"Were it admitted, however, that the Federal Government may feel an equal disposition with the State governments to extend its power beyond the due limits, the latter would still have the advantage in the means of defeating such encroachments. If an act of a particular State, though unfriendly to the National Government, be generally popular in that State and should not too grossly violate the oaths of the State officers, it is executed immediately, and, of course, by means

on the spot and depending on the State alone. The opposition of the Federal Government or the interposition of Federal officers would but inflame the zeal of all parties on the side of the State; and the evil could not be prevented or repaired, if at all, without the employment of means which must always be resorted to with reluctance and difficulty. On the other hand, should an unwarrantable measure of the Federal Government be unpopular in particular States, which would seldom fail to be the case, or even a warrantable measure be so, which may sometimes be the case, the means of opposition to it are powerful and at hand.

"The disquietude of the people; their repugnance and perhaps refusal to cooperate with the officers of the Union; the frowns of the executive magistracy of the State; the embarrassments created by legislative devices, which would often be added on such occasions, would oppose in any State difficulties not to be despised; would form in a large State very serious impediments; and where the sentiments of several adjoining States happened to be in unison would present obstructions which the Federal Government would hardly be willing to encounter.

"But ambitious encroachments of the Federal Government, on the authority of the State governments, would not excite the opposition of a single State, or of a few States only. They would be signals of general alarm. Every government would espouse the common cause. A correspondence would be opened. Plans of resistance would be concerted. One spirit would animate and conduct the whole. The same combination, in short, would result from an apprehension of the Federal as was produced by the dread of a foreign yoke, and unless the projected innovations should be voluntarily renounced the same appeal to a trial of force would be made in the one case as was made in the other. But what degree of madness could ever drive the Federal Government to such an extremity? In the contest with Great Britain one part of the empire was employed against the other. The more numerous part invaded the rights of the less numerous part. The attempt was unjust and unwise; but it was not in speculation absolutely chimerical. But what would be contested in the case we are supposing? Who would be the parties? A few representatives of the people would be opposed to the people themselves; or, rather, one set of representatives, with the whole body of their common constituents on the side of the latter."

At this point Mr. Madison enlarged upon the probability that the State militia might be brought into conflict with the Federal Army. Then he continued:

"The argument under the present head may be put into a very concise form, which appears altogether conclusive. Either the mode in which the Federal Government is to be constructed will render it sufficiently dependent on the people, or it will not. On the first supposition it will be restrained by that dependence from forming schemes obnoxious to their constituents. On the other supposition, it will not possess the confidence of the people and its schemes of usurpation will be easily defeated by the State governments, which will be supported by the people.

"On summing up the consideration stated in this and the last paper," Mr. Madison said, "they seem to amount to the most convincing evidence, that the powers proposed to be lodged in the Federal Government are as little formidable to those reserved to the individual States, as they are indispensably necessary to accomplish the purposes of the Union; and that all those alarms which have been sounded, of a meditated and consequential annihilation of the State governments, must, on the most favorable interpretation, be ascribed to the chimerical fears of the authors of them."

The point made by Madison indicates clearly that the founders never dreamed a State or a group of States would be or could be coerced or bullied into meek submission to a discredited and impossible law. As he said, "What degree of madness could ever drive the Federal Government to such an extremity?" Certainly nothing could do it but the fanatical insistence of a misguided group.

If there were the same geographical divisions of conviction on this subject as existed before the Civil War, the Nation might be torn asunder as it was in that conflict. All that prevents such a calamity now may well be that households are divided and neighboring communities differ in sentiment regarding the matter. Madison's prophecies in the part of the paper I did not read might well be realized to the uttermost. Indeed, as I see it, the danger is imminent if intolerant demands are long continued for the forceful application of a Federal law upon an unconvinced and unwilling State. Wise men of every shade of opinion regarding temperance should see this and be governed accordingly.

There is a constitutional way to recede from the present unhappy methods of dealing with the drink problem. The constitutional way is the proper way to meet it. Certainly, if the present constitutional method of dealing with the liquor problem is a failure, there must be found another constitutional method of dealing with it, some method giving greater promise of success.

We do not ask that any other State recede from its position. If it is satisfied with the eighteenth amendment, let that amendment be so modified as to retain for that State, and every other State thinking the same way, all the benefits of the amendment. But, as I see it, there will not be contentment in the State of New York, and in many other

States, unless the Constitution is so modified as to permit the State itself to determine what shall be its course in this particular matter.

We grant freedom of action to every citizen of every other State holding different views from ours. We do contend, however, that our State has the right within the meaning of what the founders formulated for us, the right of self-determination and the right of the State to settle a purely domestic matter, as the overwhelming majority of its citizens desire it to be settled.

Under no circumstances must the baneful and hateful evils of the corner saloons come back to haunt us. I am convinced, however, that the liquor problem can never be solved by the present legal enactments. I should not be intellectually or politically honest if I did not state frankly this conviction on my part.

In my opinion that is the conviction of the vast majority of the citizens of the State of New York and of many other States. If we are actually chained to the cause of present-day prohibition, there must be found a way to break the chains. That must be done in the legal way, the constitutional way, granting the right and privilege to every State to choose for itself how this problem should be dealt with within its own borders.

New York has a right to say: "We are dissatisfied with the present constitutional amendment and demand a revision of the Constitution which will leave the State free to deal with the liquor problem as it chooses."

The citizens of New York City and New York State are not satisfied with present conditions. This is not because they thirst for liquor but because the present system has brought a series of new and dangerous evils from which we wish to escape. We desire to be loosed from the chain.

There are other chains hampering and binding our beloved country. I am confident the Tammany Society will help in casting off the shackles. That should be the effort of every citizen.

Our Columbia must be released as Andromeda was in the fable.

Tammany has led in every fight for liberty. Tammany will continue a leadership much needed in this day of Federal usurpation.

INVESTIGATION BY THE TARIFF COMMISSION (S. DOC. NO. 215)

As in legislative session,

The PRESIDING OFFICER (Mr. JONES in the chair) laid before the Senate a letter from the chairman of the United States Tariff Commission, transmitting, in compliance with the provisions of Senate Resolution 315, of July 3, 1930, a list of the articles with respect to which applications have been made prior to July 3, 1930, for investigations under section 336 of the tariff act of 1930, and for relief under other provisions of such act, together with the names and addresses of the respective applicants, etc., which was ordered to lie on the table and to be printed.

THE ECONOMICS OF PROHIBITION

MR. SHEPPARD. Mr. President, I submit for insertion in the RECORD an address entitled "The Economics of Prohibition," a radio address by Hon. Louis J. Taber, of Columbus, Ohio, master of the National Grange, over the National Broadcasting Co.'s stations during the National Grange Farm and Home Hour, 12.45 p. m. June 21, 1930.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Friends of the radio audience, from the moral and spiritual standpoint our two most important problems are world peace and enforcement of law. On each of these issues the National Grange rings true. You have listened to a discussion of the London naval conference and the efforts of our Government to promote international good will. This program has the support of agriculture.

The second of our great problems—respect for law and obedience to constitutional authority—is bound closely to temperance and prohibition. The social and moral phases of prohibition are becoming better understood as the years go by. Love of country implies support of every agency that makes for national greatness and the common welfare. The moral forces of the Nation favor the eighteenth amendment and the enforcement of prohibition. Alcohol must be treated as a habit-forming drug. The bootlegger and dope peddler are equally reprehensible.

Civilization and progress bring new duties and responsibilities. The savage alone can enjoy full personal liberty. As society grows more complex personal liberty must be tempered with consideration for the rights of others. Personal liberty and the right to do as we please would be logical in the desert, but in America it is modified one hundred and twenty-one million times and will be continually changed with the progress and the growth in population.

The recent primary in New Jersey, instead of being a defeat for temperance, is but the clarification of the issues and a clarion call to action. The recent nominee but takes the place of another Senator who favored repeal. The ability of the candidate and the fact that his son-in-law is the most popular young man in America added to the vote of an already wet State. We should rejoice that the new Senator stands for repeal rather than nullification. The issue is unmistakable. The chal-

ledge will be accepted by the dry forces. On one hand we have repeal with the return of the saloon, on the other hand the eighteenth amendment and prohibition. Repeal will never come if the American people recognize that with the eighteenth amendment out of the Constitution permission will be given to sell intoxicating liquors. When intoxicating liquors are sold, by whatever method or in whatever form, in practice the saloon will reappear. Intelligent America will never permit this to happen. Civilization and progress banished the saloon. The economic forces of modern life decree it can not return. Speed, progress, scientific discovery, and congestion of population are factors and forces combining to prevent the return of the wasteful and destructive liquor business.

In the mountains of Kentucky there is a detour sign and beneath it we read: "Detours always mean progress." The motorist may object to the mud or the dust, the distance or the bad grades of the detour, forgetting that the only way to get out of the mud, to straighten the curve, improve the grade, and build a modern highway is to detour traffic in the interest of progress. Julius Caesar once said: "Highways are but the pathway of civilization." The growth of the good-roads movement in America in the last decade has been one of the Nation's marvelous accomplishments. From coast to coast and Lakes to Gulf thousands of miles of splendid highway spread a network over the continent. This achievement alone is ample justification of a decade of prohibition.

Some may say that this has nothing to do with temperance. The answer is that American citizens have found it better to ride in their own little automobiles than to travel in the finest police patrol ever built. The passing of the saloon has made possible the growth of highways. As a barefoot boy on the farm I used to dread Saturday afternoon to come, because drunken drivers would be going home from the saloon town near by. To-day the old mud road is gone and past the old farm home is a hard-surfaced highway. Drunken men no longer drive frightened horses, but hundreds of automobiles in their place go past at lightning speed. Had the saloon town remained, the highway would not have been built, or had it been constructed, it would have been almost useless, because gasoline and liquor never have and never will mix with safety.

Let us in a dispassionate manner survey the actual economic accomplishments under 10 years of prohibition. Our drink bill was approximately \$3,000,000,000 annually before the adoption of the eighteenth amendment. It would be more than \$4,000,000,000 to-day had the saloon been permitted to exist. Professor Fisher estimates that the net saving as a result of prohibition is easily \$6,000,000,000 per year. This amount added to the Nation's purchasing power means prosperity and progress.

Measure from any angle you please, and the economic gains from prohibition so far outdistance the losses that there is no comparison. On this point Doctor Fisher states: "So far as I can ascertain, after intelligent search, there is no economist in the United States who opposes the view that the Nation has gained enormously in an economic sense from national prohibition." Let us give a few guideposts that indicate what has happened during the decade.

In 1920 there were barely 8,000,000 automobiles in the Nation. To-day the number is well over 24,000,000. Ten years ago the automobile was the luxury of the well-to-do; to-day it has become the privilege of every fifth American to own an automobile.

Next in importance comes life insurance, where prohibition has registered its greatest nation-wide service. It took 79 years for the life insurance business in the United States to reach the 50,000,000,000 mark under the legalized liquor traffic, but it took only six and a half years under prohibition to accomplish a like result and place the total life insurance in the Nation well beyond the hundred billion mark. No more eloquent testimony of the service of prohibition and its relation to national prosperity could be introduced. Life insurance guarantees protection for widows and orphans and financial security for old age.

Savings-bank deposits in 1918 were \$9,372,246,000. Ten years later the American people had increased this to the vast sum of \$28,412,961,000. The remarkable part of this increase has been the large number of savings accounts in the name of workers and those who a few years ago had neither savings account nor bank deposit.

Home owning has increased and the per capita deposits in building and loan associations has more than doubled.

Prohibition has improved the standards of home life during the period. To-day the women of America spend much of the pay envelope for home furnishings, better living standards, and added comforts, rather than allowing the bartender first mortgage on the rewards of the worker's toil. The number of power washers has increased 100 per cent; radios almost 1,000 per cent. Electric lights, heating equipment, vacuum cleaners, water supply, electrical refrigeration, and similar conveniences have increased from 100 to 1,000 per cent in 10 years. The increase in musical instruments, the social and cultural advantages resulting from the elimination of the waste of the liquor traffic have attracted not only nation-wide but world-wide attention.

Great advantage has accrued in the efficiency and the ability of the individual workmen. A quarter of a century ago the railroads of the Nation found that speed and safety were impossible with the use of

intoxicating liquors. Engineers, train dispatchers, conductors, and similar railroad employees were compelled to observe temperance or seek other lines of employment. This influence spread because with improved machinery working at high speed it became impossible to trust its control to anything but a clear brain and a steady nerve. The Nation's industries were finding the saloon a burden and a great economic drain long before the World War. Since 1920 there has been an increase not only in the earning capacity but in the efficiency of the American workmen amounting to more than \$3,000,000 annually.

The eighteenth amendment has been invaluable to agriculture because of the increased consumption of farm products. We have time for but a single example: In 1917 our average consumption of milk was 754.8 pounds. Ten years later the per capita consumption was 967.3 pounds, indicating that milk was taking the place of beer throughout the land, and that children were enjoying the health and life-giving materials with which the dairy cow—the foster mother of mankind—blesses society. To produce the increased milk consumed would require more grain than was used by all the brewers and all the distillers before prohibition.

Agriculture has suffered serious depression, but prohibition has not been the cause. This depression would have been more grievous had wet conditions prevailed.

Our greatest gains are social and moral. The health of the individual has improved; the number of children graduating from the eighth grade has increased; high-school graduates have multiplied; and college graduates are increasing. The general level of all that measures rich and satisfying life has moved forward.

The glory of American civilization, our economic and commercial supremacy, our world position are all challenged by the attempt to return to the saloon. Railroads which are increasing speed and adding to the length of train and the tonnage carried are threatened. Our millions of automobile drivers on the Nation's highway have their peace and safety challenged. Our speed in the air, on the water, and on land, our multiplying miles of highways, our great mass production, our mechanical age, are all challenged by the threat of the return of the saloon.

The demagogue will say, Why measure the rights of the individual, his desires, his appetites, and his personal liberty by the cold economic facts of the advantages of prohibition? I answer that real personal liberty, the liberty to give and the liberty to enjoy the full use of our faculties, has increased under prohibition and that the return of the saloon would challenge many liberties we now enjoy. For example, immediately with the return of the saloon we would be compelled to deny automobile licenses to those who drink, just the same as we deny the right to run a train or pilot an airplane to those who use intoxicants. Either civilization must move backward or sobriety and temperance must remain.

No one would deny that law-enforcement conditions are not satisfactory. But I remind you that no law can be 100 per cent enforced. Since the days of Moses it has been unlawful to kill, but murder continues. Since the Garden of Eden it has been unlawful to steal, but theft continues. Some law violation will continue until the millennium. With honest and efficient prohibition-enforcement agencies the prohibition law can be enforced as well as other legislation.

Law violation, the protection of the bootlegger and rum runner, was recently urged by a man who claims to be a good citizen. Such language is more treasonable than anything ever uttered by Emma Goldman. We have exiled to Russia more desirable citizens than men who are making such statements. Benedict Arnold, for gold and for jealousy, betrayed the Continental Congress. His action was less reprehensible than those who propose to betray Americanism to the bootlegger and the smuggler. King George, whom Benedict Arnold served, was a prince compared to some of our law violators and gangsters. Those who think more of the desire to drink than the liberty and priceless heritage of American citizenship should seek other climes. Some would destroy American family life. They should go to Russia and try the experiment. Those who like bull fights should go to Spain and Mexico rather than to seek to make our American civilization the cosmopolitan mixture of all that can be found in the rest of the world.

The philosophy of the Grange is not that we should destroy our American institutions, but that we should protect them. Not that we should lower our standards, but that they should be maintained. As master of the National Grange, speaking for its million members located in farm homesteads from the pine trees of Maine to the orange groves of California, from the lakes of Minnesota to the wheat fields of Oklahoma, I say without hesitation or qualification that the Grange stands unflinchingly upon its long-established policy for sobriety and prohibition. To us the eighteenth amendment is a part of the Constitution. We believe in its value. We are ready to defend it against those who would seek to destroy its civic, moral, spiritual, patriotic, and economic benefits.

The palsied hand, the devastating and corrupting influence of the legalized liquor traffic can not return to America, because it took 36 States to ratify the eighteenth amendment and it will require 36 States to take it out. This number of States will never be secured.

Let us not forget the picture of the open saloon. Let us not forget blue Mondays in the home and in the factory. Let us not forget a staggering drink bill. And then let us remember that the evils of the saloon, were it to return, would be multiplied in accordance with the speed, the expansion, the development that has taken place.

A century and a quarter of legislative experience and common sense dictate the folly and the utter impossibility of State or National control of the liquor business. The issue is the open saloon or prohibition. Paraphrasing the words of the Hebrew prophet, America must choose whom it will serve, God or Beal.

RECESS

Mr. BORAH. I understand the Senator from Minnesota does not desire to conclude to-night; and as it is nearly 5 o'clock I move that the Senate take a recess as in executive session until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 55 minutes p. m.), as in executive session, took a recess until to-morrow, Thursday, July 10, 1930, at 12 o'clock meridian.

SENATE

THURSDAY, July 10, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

CHARLES S. DENEEN, a Senator from the State of Illinois, and REED SMOOT, a Senator from the State of Utah, appeared in their seats to-day.

The VICE PRESIDENT. The Senate resumes the consideration of the treaty.

LONDON NAVAL TREATY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Hale	Metcalf	Smoot
Bingham	Harris	Moses	Stephens
Black	Hastings	Norris	Sullivan
Borah	Hatfield	Nye	Swanson
Capper	Hebert	Oddie	Thomas, Idaho
Caraway	Howell	Overman	Thomas, Okla.
Copeland	Johnson	Patterson	Townsend
Couzens	Jones	Philpotts	Trammell
Dale	Kendrick	Pittman	Vandenberg
Deneen	Keyes	Reed	Walcott
Fess	King	Robinson, Ark.	Walsh, Mass.
Fletcher	La Follette	Robinson, Ind.	Walsh, Mont.
George	McClulloch	Robison, Ky.	Watson
Gillett	McKellar	Sheppard	
Glenn	McMaster	Shipstead	
Goldsborough	McNary	Shortridge	

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORBECK] is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEAKE] are detained from the Senate by illness in their families.

Mr. LA FOLLETTE. I desire to announce the unavoidable absence of my colleague the junior Senator from Wisconsin [Mr. BLAINE]. I ask that the announcement may stand for the day.

Mr. NYE. I desire to announce the necessary absence of my colleague the senior Senator from North Dakota [Mr. FRAZIER]. I ask that this announcement may stand for the day.

Mr. COPELAND. My colleague [Mr. WAGNER] is unavoidably absent to-day.

Mr. SWANSON. My colleague the junior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. McNARY. I wish to announce that my colleague the junior Senator from Oregon [Mr. STEWART] is absent on account of illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-one Senators have answered to their names. A quorum is present. The question is on the amendment of the Senator from Arkansas [Mr. ROBINSON] to the resolution submitted by the Senator from Tennessee [Mr. McKELLAR].

Mr. JOHNSON. Mr. President, I do not intend to occupy any particular time in the further discussion of the amendment, my views as to which originally I presented upon its introduction, and presented as well as I was then able to do. But I want to say one or two things in response to what was said yesterday upon this question. I do this, sir, because originally in the Foreign Relations Committee it was upon my motion that request was made for documents from the Secretary of State. Upon that motion thus made originally came the response from the Secretary of State and ultimately the resolution which was adopted by the Foreign Relations Committee.

I am perfectly willing to take the statements which have been made upon this floor as to the character of papers which have been utilized by the London conference and am willing to concede in the first instance that there may be a comic strip so execrably funny that it would convulse us all with hysterical laughter, or I am willing to concede, as may have been intended to be presented by the Senator from Pennsylvania [Mr. REED] yesterday, that they contain personal references from perhaps, a peppery ambassador from the United States that ought not to be made public and which, if made public, would cause a world explosion that would involve us all, and God knows what would become of the universe. I do not care which it would be, whether it be one sort or the other.

No one, so far as I am concerned, who has asked for documents in this case cares either for the humor of somebody's utterances or for his characterizations of some particular individual. Personally, I want none of that sort of thing. Personally, of course, I would be willing that anything of that kind should be deleted at any time, for I am not concerned either with the one aspect that has been suggested nor with any individual's opinion of any other individual; but, sir, the attempt that has been made to minimize what has transpired is at once negative and answered by the facts. Let me recall them just for an instant historically.

First, there were negotiations pending between London on the one hand and the United States on the other in regard to a limitation of naval armament. In connection with that particular limitation an ambassador was appointed to Japan from the State Department, one of whose purposes in being in Japan was that he should be there during the time of the negotiations and should be unquestionably, I assume, in close and intimate touch with all that was transpiring and be able upon the ground to aid in the very laudable purpose and the noble aspiration that has always been ours of arms reduction and naval limitation. What happened there?

During the time that the United States Government and the Government of Great Britain were communicating with each other in respect to what should be done or what might be done, there were various statements in writing made by both Governments as to their respective navies. The United States Senate is denied these communications. The United States Senate is denied the information relating to what transpired in those primary or original negotiations between the British Government and our Government.

I speak by the book when I say that it is obvious there was that exchange, because the document that was put in evidence before the Foreign Relations Committee demonstrates it conclusively. That document thus put in the records of the Foreign Relations Committee contained a part of what transpired between the two Governments when they were thus negotiating regarding arms limitations or arms reduction. I do not need to say to lawyers upon this floor—I do not say to lawyers upon this side—I do not need to say to lawyers generally, who, with a knowledge of their profession, have followed somewhat the rules of evidence, that when one party to a transaction puts in evidence part of a transaction, part of a communication, or parts of a communication that may have passed between the parties, the other party has the right to put in the record all of that communication. That we are denied. The United States Senate, while having a part of the communications that passed between Great Britain and the United States in the initial stages of the making of the London treaty, while having a part of it put in the record by the proponents of the treaty, is denied the whole of the communications thus passing.

Then, sir, the negotiations proceeded. They proceeded to a point where the distinguished Premier of Great Britain came to this country and personally with the President of the United States, and perhaps with others for aught I know, took up the

question of arms limitation and naval reduction. In the course of those conferences it is obvious from the documents which were before the Foreign Relations Committee that there was some kind of agreement then entered into between the Premier of Great Britain and the President of the United States and, possibly, the Secretary of State, relating to various parts of the Navy of the United States.

It may be, for aught I know, that those communications were entirely verbal; it may be that they rest wholly in parole; but it is difficult for me to believe that in a conference where governments were dealing with their very means of defense through, on the one hand, a President, and, on the other, the Premier and the head of Great Britain's Government, there should not have been committed to writing something of what transpired, and something of the agreement upon which the two Governments were going forward. If there be any such—I do not know and I do not assert it—but if there be any such records, the Senate of the United States, passing upon this treaty, is denied them and has not them or any of them or any part of them.

Sir, take just a more glaring instance in order that we may understand. Finally there were appointed delegates who went to London to represent the United States of America in the laudable purpose that has been outlined. There these delegates of the United States of America submitted in detail and in writing to the other nations represented their proposal of what would be desired and what would be demanded by the United States Government in respect to its Navy.

I violate no confidence when I say that that proposal was transmitted by the Secretary of State to the Foreign Relations Committee, but I do not violate any confidence by stating what is in it, because annexed to the letter transmitting this proposal of the United States Government is the statement by the Secretary of State that it is transmitted confidentially and must be treated with a confidence inviolate. That is the proposition made concerning the Navy of the United States of America. We are denied it upon this floor, because, of course, we can not, when it is given to us in that kind of confidence, violate the confidential relation that is thus created.

But look at the position in which the Senate, sitting as a part of the treaty-making power, sitting here to determine its attitude after a treaty has been negotiated, is placed. The Senate is denied the original written proposition that was made in behalf of the United States Government concerning the Navy of the United States over which the Congress is supreme under the Constitution. That is the situation; and, again, laugh it off if you will, sir, as to what these documents may contain.

There was a reply made by the British Government and a reply made by the Japanese Government. I do not assert what they were or anything that is contained in them at this time; but replies were made in writing to the proposition made by the American Government, yet the United States Senate is so weak, so feeble, and so futile that although engaged in the effort of determining its attitude upon a treaty pending before it it is denied not only the proposition that deals with the Navy of the United States but other propositions that were made dealing with it possibly even more drastically than we ourselves would deal with the Navy of the United States, propositions made by other nations of this world.

What sort of a situation thus is presented to us? Are we to maintain our dignity as a Senate? I do not speak of the kind of dignity, sir, that makes itself manifest either by a social secretary or a white-shirt front; but what can be thought of the dignity of a body such as this that has neither the desire nor the courage to demand when it is passing upon the Nation's future and the Nation's ultimate defense, to wish to have before it that which deals with and that which determines the future of the United States in the matter of its naval defense.

So, sir, I say to you that it is not a question for laughter as to what these documents may contain. They may throw us into hysterics of humor when we read them. It is not a question of whether one man or another man in the Senate has seen those documents. That is not, as was stated by the Senator from Indiana [Mr. ROBINSON] the other day, what the Constitution requires. The advice and consent that are given to a treaty are the advice and consent of every man upon this floor—not 1 man nor 2 men nor 3 men upon this floor, but all the Senate. So I care not whether it may be asserted that the documents will afford a tremendous laugh to everybody, nor do I care that, in lugubrious utterance, it may be asserted that there will be a world explosion regarding them; they are documents relating to the Navy, relating to the particular treaty concerning exactly what was done and what should be done; documents that are necessary for the appropriate interpretation of the terms of the treaty; and these documents

the Senate is not only entitled to but it ought to rise in its majesty and its might and demand them until it is accorded every one of the documents essential for passing upon the terms of this pact.

Mr. COPELAND. Mr. President, it so happens that I must leave Washington at the close of the session to-day, to be absent for the remainder of the week. For this reason I wish to have certain information in order that I may know whether the course I have in mind regarding the ultimate vote on the treaty is a wise one or not.

I do not see the Senator from Pennsylvania [Mr. REED] in the Chamber at the moment. I am very anxious to ask him one or two questions on matters concerning which he has special knowledge. I want to ask certain questions relating to Japan—how Japan profits by the treaty and whether or not she has undue advantages because of the wording of the treaty.

The matter of our relations with the Orient was given consideration in the Washington conference of 1922. Article XIX of the treaty resulting from that conference is quite significant.

Article XIX of the treaty of 1922 reads as follows:

The United States, the British Empire, and Japan agree that the status quo at the time of the signing of the present treaty, with regard to fortifications and naval bases, shall be maintained in their respective territories and possessions specified hereunder:

(1) The insular possessions which the United States now holds or may hereafter acquire in the Pacific Ocean, except (a) those adjacent to the coast of the United States, Alaska, and the Panama Canal Zone, not including the Aleutian Islands, and (b) the Hawaiian Islands.

I have read the first half of Article XIX of the treaty of 1922. The Senator from Pennsylvania is now in his seat; and I have understood that our colleague from Pennsylvania is more familiar with the Japanese aspects of the treaty than perhaps anybody else here. The question I wish to ask of the Senator from Pennsylvania relates to that phase of the matter before us.

If the Senator has before him the treaty of 1922—I know he has it in mind—Article XIX, which I have just read, specifies that the status quo as regards fortifications and naval bases is to be maintained. It specifies that the insular possessions which the United States now holds or may hereafter acquire in the Pacific Ocean are included, except those adjacent to the coast of the United States, Alaska, and the Panama Canal Zone, not including the Aleutian Islands.

May I ask whether there is any change as regards this restriction upon our fortifications in the Pacific?

Mr. REED. Mr. President, if the Senator will yield—

Mr. COPELAND. Yes.

Mr. REED. The treaty of London makes no change whatsoever in the terms of the treaty of Washington in that regard.

Mr. COPELAND. May I ask the Senator further was there any discussion, is the Senator permitted to say, regarding this particular article of the treaty of 1922?

Mr. REED. Yes; it was constantly mentioned in the discussions between the delegations.

Mr. COPELAND. Was any effort made on the part of the American delegation, if I may ask, to modify that article?

Mr. REED. It was constantly stated that unless certain matters could be agreed upon it might be necessary to modify that article; yes.

Mr. COPELAND. What matters does the Senator refer to, if I may ask?

Mr. REED. Specifically, we were anxious to establish a 10-6 ratio for the largest type of cruisers, and we were anxious to keep the tonnage of submarines in the Pacific Ocean down to what seemed to us to be a reasonable figure; and it was made plain in the discussions that unless those things could be accomplished it might not be possible to continue beyond the terms of the Washington treaty the provisions for nonfortification in the Pacific.

Mr. COPELAND. The Senator has mentioned submarines. Does he feel that the ultimate decision in this pact as regards submarines was entirely fair to the United States?

Mr. REED. Yes; I do.

Mr. COPELAND. Under the agreement that was made Japan has parity with us as regards submarines.

Mr. REED. That is a matter of indifference. Japan offered to give us a ratio of 2 to 1, if we wanted it, in submarines, provided she could have the tonnage she wanted. She realized, just as we did, that submarines do not fight submarines; and the ratio was a matter of indifference to her. All she was concerned about was the tonnage.

Mr. COPELAND. As a matter of fact, when the decision was made relative to submarines, the figure finally arrived at—52,700 tons—represented the tonnage of submarines which Japan had already built. Am I right?

Mr. REED. No; that represents the tonnage of submarines which Japan will have under age in 1930, provided she does not build any additional tonnage and provided she scraps every ton that reaches the age limit in the meantime. It involves a reduction of about 33 per cent by her.

Mr. COPELAND. Now, let me ask the Senator another question. If, perchance, there ever were any disturbance in the Orient—which, of course, we trust may never occur, and which probably never will occur—would we not be at a very decided disadvantage as a nation because of our inability to have any fortified naval base in the Pacific?

Mr. REED. Of course, in so far as we reduce our Military Establishment, our military power is less; yes. The Senator surely did not expect us, however, to go to London to get a treaty which would establish Japanese inferiority in Japanese home waters. All we were trying to do was to make a treaty that was fair to everybody and did not give military preponderance to any one nation all over the globe.

Mr. COPELAND. I trust the Senator will not misunderstand me. My desire is to gain information. It may be that my decision, or tentative decision, is not so firmly fixed as the Senator may dream.

Mr. REED. I am very happy to answer the Senator's questions as far as I can.

Mr. COPELAND. I know the Senator is; and, if he will hear with me, I wish to ask him pretty soon a few more questions, in order that I may have the information he can give.

If Senators will glance at the map of the Pacific, it is very significant that Article XIX of the 1922 treaty exempts the Aleutian Islands from that part of our territory which might be fortified. I wish we had a map big enough so that all could see. But Senators have in mind their geography, and they will recall that from the coast of Alaska, like a string of beads, we find the Aleutian Islands reaching across the Pacific to the geographical neighborhood of Japan. In the Aleutian Islands we find the island of Unalaska; and, as Senators will recall, that island contains the marvelous bay which we call Dutch Harbor.

Dutch Harbor is big enough to float the entire Navy. We now have a radio station there but we have no base; we have no naval repair shops; we have no oiling or coaling stations. Does not the Senator believe that in the event of any disturbance in the Orient it would be extremely valuable to us to have a base in the Aleutian Islands?

Mr. REED. I think such a base probably would be a serious military menace to Japan, but would not at all be necessary for the defense of the home coasts of the United States. I should be sorry to see us try to establish such a base, because it would be clearly a hostile act against Japan.

Mr. COPELAND. The Senator speaks about the protection of the home coasts of the United States; it seems to me we must not disregard the fact that we have very valuable possessions in the Orient. It is necessary for us, not only to defend our home coasts, but to defend the Philippines. As I see it—and I thank the Senator for the moment, if I may feel free to call upon him again—as I see it, without any technical knowledge of military strategy, it would be very easy, in case of a disturbance between the United States and Japan, for our one base of any consequence which is now in the Philippines to be taken by the Japanese. If we had a naval base in the Aleutian Islands, in that wonderful Dutch Harbor, which is wonderfully provided by nature with all the means of natural defense—a very large harbor, practically landlocked, and which would be, I am advised, a very important center of operations in case of necessity—the situation would be quite different.

I recognize what the Senator from Pennsylvania says, that to fortify that harbor might be regarded in some quarters as an attack upon the sovereignty and safety of Japan. Nevertheless, when I look at the lines of commerce and find that we have crossing the Pacific many lines carrying the American flag, it does seem to me that we ought to give consideration not alone to the matter of our defense of the boundaries of continental United States, but also the protection of our insular possessions.

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I do.

Mr. McKELLAR. The Senator from Pennsylvania [Mr. REED] said that it would be an act aimed at Japan for us to establish a naval base in the Aleutian Islands. Both Senators will recall that Great Britain has naval bases all around continental United States. She has 2 in Nova Scotia, 1 in the Bermuda Islands, and I believe 2 in the West Indies, not only at our own doors but at the doors of the Panama Canal, and another one right off or near Vancouver, as I understand, so that virtually Great Britain has these naval bases all around continental America. Why could not they be construed to be

inimical to America if the building of a naval base in the Aleutian Islands would be inimical to Japan?

Mr. COPELAND. I assume the answer to that would be that this situation represented the status quo; it was the situation when the treaty was made.

Mr. McKELLAR. Yes; but they are there just the same; and if the establishment of naval bases in the Aleutian Islands would be an act of impropriety so far as Japan is concerned, why were not some efforts made to remove these naval bases right around our own shores? Why does another nation keep these naval bases all around America when it is claimed that the establishment of a naval base near Japan or near India or near any other possession of Great Britain would be an act of impropriety?

Mr. COPELAND. The Senator might go further: He might speak about all these British naval bases in the Orient, which are a menace, of course, to our Philippine possessions in case of conflict with Great Britain.

Mr. McKELLAR. Yes, Mr. President; and I call the Senator's attention to the fact that that is one of the real reasons why our Navy officials are in favor of 10,000-ton 8-inch cruisers. We have not these naval bases. We have to have the larger ships in order to protect our trade and commerce and our outlying possessions, some of them on the other side of the world; but, on the other hand, Great Britain does not have to have these large ships, because she has naval bases all over the world, including naval bases all around America.

Mr. COPELAND. I thank the Senator.

To make application of what I had in mind, speaking now of Japan, whatever we have in the way of possessions in the Orient, everything we have there, as I view it, is at the mercy of Japan. Disregarding any offensive act on the part of Japan so far as our continent is concerned, there can be no doubt that for purposes of Japanese defense and Japanese offense in the Orient, Japan has everything in her own hands. I do not know that she could have more.

I am not blaming our delegates. They had to take things as they were, and not as they would have had them. Yet, as a practical fact, how can one look at a map of the world, and study the situation of the various naval bases developed in that Pacific territory, and study them in connection with what the treaty proposes, and fail to reach the conclusion that so far as Japan is concerned she has control of the oriental world?

She could move into the Philippines and take possession of our defenses there.

Mr. REED. Mr. President—

The PRESIDING OFFICER (Mr. COUZENS in the chair). Does the Senator from New York yield to the Senator from Pennsylvania?

Mr. COPELAND. I yield.

Mr. REED. Does the Senator realize that it is six days steaming from Japan to Manila, and that the fortifications which we have at the mouth of Manila Harbor are probably the strongest fortifications in the world, excepting Gibraltar? Does the Senator think Japan would be so foolish as to waste her strength in attacking that place, or that she would accomplish anything if she did capture it, or that a base in the Aleutian Islands would be of the slightest value in preventing such an attack if Japan wanted to make it?

Mr. COPELAND. I sincerely hope that the implication of the Senator's remarks is correct, and I suppose we are fighting windmills when we talk about such an invasion of the Philippines as I am discussing. Nevertheless, we are here giving consideration to a naval treaty which has to do not alone with the peace of the world but with the welfare of the United States. I do not know how impossible it would be for Japan to take possession of the Philippines. That is all guesswork. But if Japan controlled the waters of the Orient, with her submarines and cruisers, and our commerce were destroyed or so interfered with in its operation that supplies could not be taken to the Philippines, in the very nature of things the walls would fall because of the starvation of those defending them.

Mr. McKELLAR. Mr. President, will the Senator from New York yield to me?

Mr. COPELAND. I yield.

Mr. McKELLAR. I call the Senator's attention to the fact that our trade with the Far East now amounts to over \$2,000,000,000 a year, and surely that is of some consideration, or ought to be of some consideration, to us when we are legislating for that part of the world.

Mr. COPELAND. I am glad to hear the Senator say that, because it will make him more generous in dealing with our merchant marine.

Mr. McKELLAR. I am stronger for a merchant marine than the Senator is.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. SHIPSTEAD. The Senator refers to the control of the Pacific as though this treaty had something to do with that.

Mr. COPELAND. Yes.

Mr. SHIPSTEAD. The control of the Pacific was settled in the 4-power alliance treaty which accompanied the so-called disarmament conference of 1922. The control of the Pacific was settled at that time. We agreed to give up all our fortifications and the right to fortify Guam and the Philippines, and by doing that we gave control of the Pacific to Japan and to Great Britain. That having been given away by that treaty of alliance, a political treaty, which was ratified by the Senate of the United States, I do not see how we could go back of that treaty and talk about the control of the Pacific now, because we have nothing to do with it.

Mr. COPELAND. Mr. President, before the Senator came into the Chamber I had referred to Article XIX of the treaty of 1922, which is the matter the Senator has in mind.

Mr. SHIPSTEAD. Mr. President, if the Senator will permit me, I think I ought, also, to say that we gave up our influence in the Pacific in the interest of peace. Anything can be passed in the Senate if it is labeled "Peace."

Mr. COPELAND. Mr. President, I agree with the Senator, and it was that very point I was discussing. I had asked the Senator from Pennsylvania, who answered very frankly and fully that there was discussion in the naval conference of that Article XIX, referred to by the Senator from Minnesota, by which we gave up the right to fortify any territory in the Pacific. I said further that I recognized that the delegates had to deal with conditions as they were.

Frankly, so far as I am concerned, I am distressed over this particular part of the pending treaty. As I see it, in giving Japan parity in submarines and practically what she wanted in other categories, it is my judgment that we have lost control of the possibility of maintaining our trade routes and maintaining the security of possession of our territory in the east. I am going to speak of that more in detail later.

But if the Senator from Pennsylvania will bear with me once more, may I ask this, if I may properly do so: What discussion, if any, was had in the conference regarding the use of the small navies of India, New Zealand, and Australia by the British Government?

Mr. REED. Mr. President, I am not aware that India has a navy of any consequence. New Zealand and Australia have some cruisers, and they are included in the total permitted to the British Commonwealth of Nations. Our bargain is with the British Commonwealth of Nations, including New Zealand, Australia, Canada, and India, and all the ships of those dominions or dependencies may have are charged against the British quota.

Mr. COPELAND. May I ask the Senator—and I say this in all kindness—is the Senator quite sure that that is the case?

Mr. REED. I am perfectly certain; absolutely certain.

Mr. McKELLAR. Mr. President, will the Senator from New York permit me to ask the Senator from Pennsylvania a question right there?

Mr. COPELAND. Certainly.

Mr. McKELLAR. I notice in the beginning of the treaty, on page 3 of the document before me, reference is to "His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India." In Article XXV, on page 32, reference is made to "His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland." I do not know whether that is important or not, and I would like to have the view of the Senator from Pennsylvania about it.

In 1927 while the Geneva conference was in session the Parliament of Great Britain passed an act authorizing India to build a navy, and I do not know that this treaty covers that authorization. Great Britain might proceed, through India, to build a navy for her eastern possessions which would not be affected by this agreement, apparently.

Mr. REED. Oh, no; Mr. President.

Mr. McKELLAR. I do not know what the intention was. Was that matter brought up? Was it discussed at all?

Mr. REED. Yes; that is clearly taken care of.

Mr. McKELLAR. Where?

Mr. REED. The King of Great Britain and Northern Ireland is also the Emperor of India, he is the King of the Irish Free State, and there are half a dozen governments of which he is the titular head. Every one of those governments was represented by delegates. India was represented by Sir Atul Chatterjee, who signed this treaty in behalf of His Majesty's government for India. When those envoys signed the treaty in that way, they agreed to the limitation which fixes an aggregate for the whole British Commonwealth of Nations.

Mr. McKELLAR. In the hasty examination I have made I do not find the name of the envoy to whom the Senator just referred.

Mr. REED. The Senator will find it the eighth name from the last.

Mr. McKELLAR. Chatterjee?

Mr. REED. Chatterjee.

Mr. McKELLAR. He represented India?

Mr. REED. He represented the King's government in India.

Mr. McKELLAR. Was anything stated in the conference with reference to this potential navy that Great Britain had provided for India?

Mr. REED. Absolutely. The possibility of building by the Dominions was constantly considered. New Zealand and Australia flatly notified the conference in private conversations that if Japan were given more than 12 large cruisers, for example, against the British 15, they would insist upon their right to build cruisers against them. If the Senator will look at article 16, he will see that the limitation of tonnage is not against the King's government in Great Britain and Northern Ireland but is against the whole British Commonwealth of Nations.

Mr. COPELAND. On what page is that?

Mr. REED. Article XVI, page 26, of the treaty as printed by the Senate.

Mr. WALSH of Montana. Mr. President, will the Senator yield to me?

Mr. COPELAND. I yield.

Mr. WALSH of Montana. In response to an inquiry from the Senator from New York the Senator from Pennsylvania told us that a naval base at Dutch Harbor would be of no aid, so far as defense of the United States was concerned, but would be a menace to Japan. Will the Senator tell us why it would not be of any assistance in the matter of the defense of our own coast?

Mr. REED. It is too far away. Of course, a naval base in any spot on earth would be effective if it were supported by a fleet to prevent the passage of hostile vessels at that point.

Mr. WALSH of Montana. I had an idea that Dutch Harbor had not been fortified as was Pearl Harbor and as was Cavite.

Mr. COPELAND. No; it was not.

Mr. REED. It has never been fortified.

Mr. WALSH of Montana. It has never been fortified because, in the estimation of our military authorities, it was not deemed necessary or advisable; in other words, because in their estimation there were other places from which the defense of our coast could be more effectively carried on than by the fortification of Dutch Harbor.

Mr. REED. The Senator is exactly right.

Mr. COPELAND. I would like to say—and, of course, I do not speak as one inspired—that I could not for the life of me see how the development of Dutch Harbor could be of any value to our continental United States. But in case of a conflict with Japan it would be tremendously important, because it is the nearest point we have to Japan outside of the Philippine Islands. The reason why it has not been fortified in the past is that it was understood originally that whatever defenses we needed in the Philippines and our possessions there would be built.

Mr. WALSH of Montana. I understand the Senator perfectly now; that is to say, in aggressive warfare against Japan a post there would be of value to us.

Mr. COPELAND. Not alone in aggressive warfare, but in case of actual conflict with Japan it would be necessary for us to have a coaling station and naval repair station for defensive purposes.

Mr. WALSH of Montana. But not for the defense of our coast?

Mr. COPELAND. Not at all; but for the defense of the Philippines and our possessions in the East.

I hope the Senator from Pennsylvania is entirely correct in his belief that the Indian Navy and the New Zealand and Australian Navies are actually included in the agreement. It is very significant that on the very eve of the 1927 conference—a conference which failed because President Coolidge and our naval experts were not willing to be so limited as the present administration appears to be willing that we should be limited—there was introduced in the British Parliament a bill to amend the Government of India act with a view to facilitating the provisions for the Indian Navy and to make certain amendments to the naval discipline act. It was ordered to be printed by the House of Commons in March, 1927; and in the face of violent opposition from certain members, it passed both Houses of Parliament and was given royal assent on the 29th of June, 1927, which was during the time we were actually engaged in the conference at Geneva. That conference was held from June 20

to August 4, so royal assent was given during the proceedings at Geneva.

The debates were most interesting. I find that on the 5th of April, 1927, when this bill was before the House of Commons, there were cosmic-minded members who did not desire to have the bill passed in the form which permitted diversion of the Indian Navy to other areas. That objection was brought out time and time again.

Mr. Pethick-Lawrence said:

Having come to the conclusion that the safeguards in the bill are quite illusory, we consider that the right course is to get rid altogether of the provisions which enable this Indian Navy to be used for purposes other than guarding the shores of India.

The Undersecretary of State, Earl Winterton, speaking with reference to the speech made by this member, said:

It is his wish and intention that in no circumstances shall the new Indian Navy be used outside Indian territorial waters, or outside what might be called the narrow definition of the defense of India.

Then he went on to complain that if the amendment proposed by this broad-minded member should be carried into effect—

The amendment would exclude the Indian Navy from ever being used for general imperial purposes as long as this bill was in operation. No such restrictive covenant is applied to the New Zealand and Australian Navies.

So it is very apparent that the Indian Navy, which was provided for in the bill to which I have referred, and the Australian Navy and the New Zealand Navy may be used for imperial purposes. Of course, the Senator from Pennsylvania says that they are included in the concessions made by Great Britain that all these various small navies are included in the total tonnage assigned to England and her colonies.

I would like, in passing, to quote just a word from Mr. Wallhead, a member of the House of Commons, giving voice to a protest which might well be read now by every citizen of our country and by everybody in the world. He said:

I want to add one word to what has been already said from these benches. In this bill we are asking that the Indian people shall make a contribution to the British Navy. We are asking them to find the money for their navy, and then they are to have no further control whatever over it. We are to control the whole thing. If I know anything of the condition of the Indian people, after hearing it described in this House and reading of it in various publications, it seems to me that when the Indian people have paid for the cost of the British administration and the cost of the army in India there is very little left them to pay for the navy. I fail to see what the Indian people are going to gain from the expenditure they have to make. It is an outrageous thing that the poverty-stricken Indian peasants, who have to live on one meal a day, with not enough calico to properly clothe themselves, short of houses, and short of food, should be taxed still further in order to provide an additional support to the Empire which has kept them poor, and which has exploited them all through the ages.

That was the testimony of a member of the House of Commons against the imposition upon the people of India, those starving people, of a further weight of responsibility in the way of providing a navy to be used by the empire in any part of the world and not confined in its operations to India itself.

Mr. Barker said:

The Singapore policy may be right or wrong. At any rate it would be honest for the Government to say why it is bringing in this measure. It is an insult to the Indian people to say that we are creating this navy for the purpose of giving prestige to India. It is sheer humbug and the Government knows it very well. The object is to defend this country against Japan and to use the Indian people for that purpose. If the Government were honest, they would say so. But they are not honest. They are trying to cloak this measure, and I am glad that I am in the house to vote against it.

Such was the debate which took place on the bill providing for an Indian Navy at the very time the delegates were at Geneva seeking to bring about "peace in the world."

Mr. REED. Mr. President, will the Senator tell us what happened to the bill?

Mr. COPELAND. It passed and was given royal assent.

Mr. REED. Will the Senator tell us what single ship has ever been built under it?

Mr. COPELAND. I do not know; but I do know that having become the law and having been given royal assent on the 29th of June, 1927, there is no reason in the world why, if the British Parliament sees fit to do it, it may not develop an Indian Navy. It may be that the Senator from Pennsylvania is right and its ships would be included in the total tonnage assigned to Great

Britain and the British Empire. If he is wrong, it means that there is that much additional tonnage to be given to the British.

Mr. President, there is abroad in this country of ours the idea that the pending treaty makes for peace on earth and for the limitation of taxes in all the countries signing it. I know that is the popular idea. I have a sensible constituency. Many of them are urging me to vote for the treaty, and in most instances where that request is made in many words instead of a brief telegram, it is urged that the great burden of taxation upon our people will be reduced if the treaty is made effective.

If I could be convinced that by the mutual arrangements our national interests are protected, and then certainly if added to that were proof that the burden of taxation of our people would be materially reduced, I should vote for the treaty without hesitation. The burden of taxation upon our people is terrific. Our Federal taxes, as shown by the appropriations made by the Congress, amount to about \$5,000,000,000 annually. Our State taxes amount to \$1,500,000,000. Our municipal and local taxes amount to enough more, about five and a half billions, to make the grand total of \$12,000,000,000 paid in taxes in the United States of America every year. The earning capacity of our people amounts only to \$90,000,000,000. That means that between one-seventh and one-eighth of the income of the American people is used in the payment of taxes.

Let no one imagine because his name is not upon the tax roll that he is not contributing to the taxes of the country. Every time a citizen buys a pair of shoes or a pound of coffee, or pays his rent, a part of the money paid goes to pay the taxes of the merchant or the landlord. Twelve billion dollars are spent annually for taxes in the United States. The income from six weeks of the labor of every wage earner in America goes to pay taxes. Of course, if there were any way to reduce the taxes of our country, no Member of the Senate would vote against the treaty, provided that there went with it the assurance of national safety.

As I have said, the popular idea is that this treaty, if ratified, will promote peace and will lessen taxation. I do not think any Member of this body is enthusiastic enough to believe that the burden of taxation will be lessened by the ratification of the treaty. If we shall build up to the so-called "parity," I have heard the sum necessary to do that estimated all the way from \$500,000,000 to \$1,000,000,000—an enormous sum of money. I do not know that it makes any difference whether we have the treaty or not so far as that expenditure is concerned, for without the treaty there will be the expenditure of money for naval construction; but it is not true that the ratification of the treaty will bring great relief in the way of a reduction of taxation.

Then when we come to the question of parity, the escalator clause defeats it. We may have temporary parity, but, with the escalator clause, any party to this treaty, for reasons best known to itself, may determine that an increased tonnage in a given category or in given categories, must be had in order to maintain its national safety. In that event, if notice shall be given by Great Britain, for instance, that because of activities in France or Italy or somewhere else, the British Government feels that it is necessary to have an increased number of cruisers or of battleships, or of both, all it need do is to notify the other nations signing the treaty that it is essential to the welfare of Great Britain that there should be that increase in tonnage. It will proceed to build.

Then, too, our country may decide that it desires to meet England and increase its tonnage. In that event, of course, common sense would dictate that we could build vessels in any category, vessels of greatest value to us. But no, we are limited to an increase in the categories specified by Great Britain. She may feel that certain ships are necessary for her welfare, and in that way dictate to us that if we desire to increase our tonnage it must be in the category determined by Great Britain.

Mr. REED. Mr. President, will the Senator from New York yield to me?

Mr. COPELAND. I yield.

Mr. REED. But the same clause gives us exactly the same privilege, if we want to use it. Great Britain is limited in the same way.

Mr. COPELAND. Exactly; there is no doubt about that; but I know the Senator from Pennsylvania believes, as I believe, that the United States will never go into competitive naval building with Great Britain or with any other country to the extent of the full development of the possibilities under any treaty. However, the escalator clause will utterly defeat the idea which prevails in this country, which has been preached from the pulpits, and proclaimed from the house-tops, that this treaty gives us parity with Great Britain. It gives us parity with Great Britain only so long as Great Britain chooses not to take advantage of the escalator clause.

Perhaps I had better be fully informed about the point I am about to mention, and therefore I will ask the Senator from Pennsylvania a question, for, whether I agree with him or not on this or any other question, I always find him well informed. If I understand the situation, England now has 19 of the treaty cruisers.

Mr. REED. England has 15 built and 4 building, including a couple of Australian ships.

Mr. COPELAND. Very well. And by 1935 she must sink four of them?

Mr. REED. Before the end of the treaty, she must sink four.

Mr. COPELAND. So that ultimately she will have 15 of the treaty cruisers?

Mr. REED. She will have 15 at the end of the treaty period.

Mr. COPELAND. Mr. President, suppose that before the end of the treaty period Great Britain should determine to take advantage of the escalator clause, and should conclude that she needs four more cruisers; in that event she would not sink the four, would she?

Mr. REED. No; and if we chose to do something of the same sort we could keep about 150,000 tons of destroyers that we have in excess of the destroyer tonnage of Great Britain.

Mr. COPELAND. In other words, the treaty does not mean anything?

Mr. REED. Like most other international bargains, it stands upon the continued good faith of the peoples who sign it; and I personally have no doubt whatever of the continued good faith of this country, of Great Britain, and Japan.

Mr. COPELAND. Neither have I.

Mr. REED. Having made their bargain, they will stand by it.

Mr. COPELAND. I think they will.

Mr. REED. There is just as much chance for us to abuse that privilege as there is of Great Britain doing so, and in fact, a little more.

Mr. COPELAND. I agree to that; but in the last analysis, when the treaty is taken as it is written—and have we not been given the intimation that that is the way we are to take it without any further advice—if we are to take the treaty as it is written, the parity provided for is an unstable quantity; it does not mean anything, so far as that is concerned.

I do not stand here to say that I feel the treaty is all bad, or that it should be utterly condemned, and certainly not that the American delegates should be condemned; but my thought is that the American people do not understand it. We have an understanding people; if we once give them time to think about these things and study them, they will form a just conclusion. It is rather trite now to say that it would have been better to wait, and yet I feel that way about it. I think that if we could give the people time to digest the treaty, to understand the treaty, and to reach the conclusion they are sure to reach, one way or the other, we might well be governed by their judgment. They have not had such an opportunity; and I am here to say, Mr. President, that there is an amazing amount of misunderstanding of the significance of the treaty.

Take the figures which I have before me. We now have 5 cruisers of the treaty type; we will have 3 more pretty soon, and 16 ultimately; we have ten 6-inch-gun cruisers, making a total of 26, and we might add 10 more, making 36 in all; while England now has 19 treaty cruisers, and must destroy 4 by 1934, giving her ultimately 15. She now has thirty-nine 6-inch-gun cruisers, including those authorized, and will ultimately have 35, a total of 50 cruisers of all types against our possible 36.

Mr. President, what is the use of cruisers? What can we say about the cruiser in terms which the average man will understand? There is nobody in the United States who does not know what a traffic policeman is. In this day of automobiles many citizens have found out to their sorrow what a traffic policeman is for. I regard cruisers as the traffic policemen of the high seas. They are not there to make war any more than a traffic policeman on his corner is there to make war against the citizen. The purpose of the cruiser is to keep the peace, so to speak, upon the high seas.

Our country is in a very different position now from what it was in 1922, or even in 1927. When the Great War came on, we had 13 vessels in the transoceanic service under the American flag. Just think of it—13! That is all we had, and except for the providence of God placing in our harbors German ships, which we took over, no one knows what might have been the outcome of the war. The *Leviathan* alone took 75,000 of the American Expeditionary Forces across the ocean to Europe.

However, Congress has seen fit to pass a very important merchant marine act—the Jones-White law—and as a result of the operation of that law we are speedily developing a great merchant marine. By Government loans at low rates of interest,

by liberal mail contracts, we have met the competitive conditions of other countries and are now developing an American merchant marine. With all the subsidies paid by the British Government in the building of their merchant vessels, naval subventions, and mail contracts, they had taken possession of the seven seas; but now, in our wisdom, we have seen fit to develop our own American merchant marine, and it is being rapidly built up. If nothing interferes, our country may become mistress of the seas.

Mr. President, we have upon the high seas 83 lines carrying the American flag. Nineteen of those lines are controlled by the United States Shipping Board; an equal number, disposed of by the Shipping Board, are operated by American citizens; and, in addition, we have other lines operating one or more vessels acquired from the United States Shipping Board, to the number of 21, if my subtraction is correct; and also 24 other lines operating vessels purchased from the Shipping Board, a total of 83 lines carrying the American flag, in service in foreign trade routes throughout the world.

If Senators will look upon this map which I have before me they will see the trade routes, a great number of them, crossing the North Atlantic; a lesser number into the Mediterranean; a great number of lines going to the east and west coasts of South America; lines through the Panama Canal to the western coast of the United States; lines through the Panama Canal to the Hawaiian Islands, to the Philippine Islands, Japan, China, and other oriental points; American lines running to Australia; American lines running around the world.

We did not have this situation before the war. We did not have anything like it before the war; but now we have developed a great commerce, covering every part of the world. How are we to maintain that commerce? We can maintain it only by sufficient cruiser strength in order that these policemen of the high seas may give protection to American ships.

It is a very interesting thing to find that in total merchant-ship tonnage the United States now ranks second in the world. We now have 1,695 ships of 9,526,108 tons. That is an amazing thing when we remember that before the war we had such a limited American merchant marine. Now, however, by the encouragement of our Government and the enterprise of our citizens, we have developed this great American merchant marine. On the same date—January 1, 1930—Great Britain had a total of 3,034 ships of 18,057,236 tons. So Great Britain still has about a 2 to 1 advantage over the United States in general merchant tonnage.

But the national-defense standpoint must not be disregarded when we speak about our American merchant marine. I am very glad thought was given to that by the naval conference—that under certain conditions of war or disaster, merchant ships might be utilized for war purposes. We have a type of vessels which, in the event of hostilities, might be utilized as cruisers or armed transports.

Of this type we have in the United States 83 such vessels, with a total tonnage of 884,064 tons, while Great Britain has 245 such vessels, with a total of 3,170,002 tons; Japan a lesser number, 26 vessels, with a total of 241,106 tons; France, 42 vessels of 434,746 tons; and Italy, 27 vessels of 394,049 tons. But as will be seen, we have in our merchant marine a considerable degree of national defense.

Mr. President, in the testimony given before the Senate Foreign Relations Committee a great many admirals and other high officers of the Navy appeared as witnesses. Their testimony emphasizes the point I want to develop—that we need the cruisers, these traffic policemen of the high seas, in order that our commerce may be protected. This is true not necessarily because of any war in which we may be engaged. We recall very well that when there was a great war in which we had no part at the time, we lost many vessels by reason of the activities of belligerents on the high seas. So, if we are to have a successful commerce in full operation in time of war, no matter whether we are in the war or not, we must have these policemen of the high seas, these traffic policemen, these cruisers, to give protection to our commerce.

I observe—and I shall quote very briefly and from only one or two of these witnesses—that Capt. Dudley W. Knox, Chief of the Navy Records Division, said:

This treaty represents a fundamental change in our naval policy, since it unduly subordinates the function of commerce—protection in favor of the combat strength of the concentrated fleet.

As the Senator from Pennsylvania has so well said, we are going to keep faith, and we believe that Britain and Japan will keep faith. We believe that any party signing a treaty will keep faith; but there are other nations that have not chosen to participate in this treaty, nations that might be engaged in

warfare which would be detrimental to American commerce. Therefore, Captain Knox well says, as I view it, that—

This treaty . . . unduly subordinates the function of commerce—protection in favor of the combat strength of the concentrated fleet.

Capt. Alfred W. Johnson, Director of Naval Intelligence, said:

The 8-inch-gun cruiser is essential to our needs, because it is the weapon for cruiser warfare—that is to say, commerce warfare—which, after all, is the only purpose of the Navy.

That is an interesting statement. I am often resentful of the statement, so frequently made, that the purpose of government is to protect property. When that was first said to me in a solemn way by a Member of this body years ago I was so distressed over it that I thought I would see for myself what the fathers of the Republic thought about the purpose of government. So that summer and the next summer and a good many times since I studied Madison's Notes, Madison's Debates to see what the fathers thought about the purpose of government.

Sure enough, all through the debates runs a red line:

The purpose of government is to protect property.

The delegation from my State of New York took that position, but I am glad to say that the majority of the members of the convention did not.

For my part, Mr. President, with all the strength of my body and soul, I dispute the doctrine that the purpose of government is to protect property. The purpose of government is to serve humanity, to serve its citizens. That means the protection of property, to be sure; but it means a lot else. I believe any government would wither and die if it devoted itself wholly to the protection of property.

Yet there can be no question that for the prosperity of any nation—any great nation like ours, certainly, where we have a surplus of agricultural crops and a surplus of manufactured products—there must be commerce. We must take these products to the uttermost parts of the earth. In turn, we must bring back raw materials and the products of other countries not produced or manufactured here. So commerce is the life of the Nation; and unless we have a protected commerce on the high seas we can not have long-continued prosperity as a people.

So I can well understand the significance of the statements made by these high officers of the Navy, and particularly the one I have just quoted, that—

The 8-inch-gun cruiser is essential to our needs, because it is the weapon for cruiser warfare—that is to say, commerce warfare—which, after all, is the only purpose of the Navy.

If we were a little, walled-in country, with no commerce with the rest of the world, if we lived within ourselves and inside these walls, we would not need any navy. We would not have any boats going out to take materials away and bring materials to us. There would not be any need of a navy. As matters stand, however, we must have these traffic policemen of the high seas, the cruisers. Furthermore, if we have far-flung trade—and we do; one has only to gaze upon this map, a map of the world, showing the American-flag services in foreign and non-contiguous trade—we must be impressed with the significance of what this high officer of the Navy says, that our commerce must be protected. Unless we have these traffic policemen, our commerce is not protected; and when we have given up, as we have in this treaty and as we did in the treaty of 1922, all means of effective protection in the Orient, we practically limit on the Pacific side all the commerce of the United States in the event of aggressive warfare on the part of an oriental country.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. ROSSION of Kentucky in the chair). Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I do.

Mr. McKELLAR. As a matter of fact, we give up the protection of our commerce in all the seas except the western Atlantic and the Gulf of Mexico, on a line reaching from Labrador to Venezuela. On the Atlantic between the American coast and that line we may have an advantage. Possibly we can protect our coast on a fringe of water on our western or Pacific coast.

Mr. COPELAND. Of course, the Senator overlooks Lake Michigan!

Mr. McKELLAR. Oh, yes; I did overlook Lake Michigan. I think possibly we can defend Lake Michigan.

Mr. COPELAND. I dare say the patriotic citizens of Wisconsin, Illinois, Indiana, and Michigan would give us full protection on Lake Michigan! But we have little protection anywhere else in the world if we sign this pact. Indeed, we turn over to

the rest of the world the opportunity of cruiser protection of their own commerce as against ours.

Mr. McKELLAR. Mr. President, I call the Senator's attention to the fact that even in that fringe of waters on our eastern coast Great Britain has five great naval bases stretched along the coast.

Mr. COPELAND. All the Senator from Tennessee needs do is to look at this outline chart of the world before me. He will see how the United States is walled in by these great British naval bases. It is enough to make a jingo of any sane-thinking citizen to look at this outline chart of the world and observe the strategic position of the many points of vantage taken by our mother country, Great Britain.

She is wise in her day and generation. She knows which side her bread is buttered on and never forgets her opportunities. This chart shows conclusively that she is in position in any part of the world to defend her own and to wage offensive warfare against all others. When I look at this map and consider what we have given up in the Orient, I can well understand that the Philippines invite for us possibilities of great national distress.

Mr. McKELLAR. Mr. President, does not the Senator think we might send a commission over to Great Britain and get her to agree to defend us when we get into trouble in the future?

Mr. COPELAND. I have heard that suggested. But see what Rear Admiral Hilary P. Jones, naval adviser at London, says:

You will find the vast preponderance of opinion in the Navy, those who have studied at the War College and elsewhere, is that the 8-inch-gun cruiser is the best unit for us. I believe that the ratio with Japan in reality amounts to 5-5 plus.

I do not see how even a layman can reach any other conclusion. When we consider that Japan has everything she wants in the way of cruisers and battleships, and particularly in submarines, equality with us, to defend a little bit of a territory, while, with the same tonnage, the United States must give defense to her commerce all over this wide world, we can understand that that is what Admiral Jones means, no doubt, when he says that Japan has 5 plus against our 5.

That was not what we had a right to expect. That is not the understanding of the American people as regards the pact. They believe this is a 10-10-6 treaty, do they not, or a 5-5-3 treaty, when as a matter of fact, so far as Japan is concerned, it is a 5-5 plus treaty.

Mr. President, my purpose is certainly not to instruct the Senate, but I am anxious that the American people may know what is going on in Washington. I want these good friends of mine who telegraphed me from Cape May yesterday, 25 of them, charming women down there on a vacation, "Stay in Washington and vote for the confirmation of the naval treaty," to know that I am likely to stay in Washington a long time if need be, but I can not vote for this treaty. I can not vote for it because it does not protect my country. It still further weakens our means of defense, and puts us at the mercy of other countries.

The thing which saves us is that these other countries are made up of sane citizens, and in all human probability we will never have trouble with them. But that is not the question. It is for us to have such a means of protection that we will be sure there will not be any trouble.

I do not want to add to the burden of taxation, I want to lessen it all I can, but there is nothing in this treaty which proposes a lessening of taxation. Everything in this treaty, so far as I can see, means a material increase in taxation.

Our commerce is not protected. The millions upon millions of dollars we are putting into our merchant ships might all be destroyed by reason of our inability to defend those ships on the high seas.

Ah, Mr. President, I hope Senators will pause and permit the country to digest the material now before the Senate. If the country says, after due study, that this is a proper treaty, that it should be ratified, as far as I am concerned, I will bow to the opinion of the American people. But the people are not informed. Those good folks who telegraph us to stay in Washington and ratify the treaty do not know anything about the treaty except the few words which might have been given by some other almost equally poorly informed person.

Mr. McKELLAR. Mr. President, I was very much interested in what the Senator said about reduction of taxes on account of this treaty. The Senator recalls that in 1922 the same arguments were made for the 1922 pact. The disarmament conference was called for the purpose of reducing taxes. The eating of the pudding is the proof thereof, I have often heard, and I want to call the attention of the Senator to the figures.

In 1923, immediately after the signing of the treaty for the reduction of naval armaments and reduction of taxation for naval purposes, our appropriation for the Navy was \$322,000,000, and the appropriations for the following years were as follows:

1924	\$324,000,000
1925	326,000,000
1926	311,000,000
1927	322,000,000
1928	338,000,000
1929	362,000,000
1930	364,000,000

For next year we have already appropriated for our Navy \$382,000,000. That has all happened since the 1922 treaty was ratified. Yet we are told that this kind of a naval pact would reduce the taxes of the American people. That simply is not so. That is all there is about it.

Mr. COPELAND. Mr. President, I share the feelings of the Senator from Tennessee. I have said a number of times about this treaty that it is like counterfeit money. A counterfeiter passes out a bill and it is taken by an innocent person who thinks it is good. This treaty is counterfeit. It professes to be what it is not, and when the American people accept the treaty blindly, if they do, it is just as if they accepted counterfeit money.

They are not going to have reduction of taxation. They would not have parity. No permanent parity is provided for in this treaty. So far as Japan is concerned, where there was no thought of parity, the actual parity given Japan, so far as that country is concerned, is to our disadvantage. As a matter of fact, they gain material advantage.

Mr. McKELLAR. The Senator is right about that. The chances are that instead of having parity, we would stand 1, 2, 3—Great Britain 1, Japan 2, and America 3, if this treaty were adopted.

Mr. COPELAND. Mr. President, I was much impressed with the statement made by the senior Senator from California [Mr. Johnson] in the document representing the minority views of the Committee on Foreign Relations.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. THOMAS of Oklahoma. With the permission of the Senator from New York, I make the point of no quorum.

Mr. COPELAND. Just a moment. I am going to conclude in a moment.

The VICE PRESIDENT. The Senator does not yield for that purpose.

Mr. COPELAND. If the Senator does not mind, I think we had better wait a little. I am sure I can conclude my remarks in five minutes. I thank the Senator for his kindness in thinking we should have a larger audience. My medical views are often in conflict with any position I may hold as a Member of this body, and I realize the significance and importance of Senators being in the open air and having plenty of time in which to eat, and I would not embarrass one of them for a moment.

I was about to quote from the minority views of the committee this statement:

At the Geneva conference in 1927 our delegation, acting under the instructions of President Coolidge, refused to yield the right of the United States to build within the tonnage limitation the type of cruiser which we needed, and upon that issue the conference failed.

I say as a Democrat that if there is one wise man in the public eye in the United States it is Calvin Coolidge. He has a way of getting to the heart of things and applies a degree of common sense to human relations that is really remarkable. I read his sermon every day. It helps me to write one.

Our delegation in 1927, acting under instructions from that wise President, Coolidge, "refused to yield the right of the United States to build within the tonnage limitation the type of cruiser which we needed, and upon that issue the conference failed."

I am afraid somebody in high place neglected to instruct our delegates to the London conference. I proceed with the quotation:

We declined to yield either to the demand of Great Britain that we build the kind of cruiser for the United States that Great Britain insisted we should build. The Hon. Hugh Gibson, one of the American ambassadors at Geneva, then stated:

"The immediate and obvious result of acquiescing in these British proposals would have been that the British Empire would have been able to build exactly what it desired, and that we, on the other hand, would be restrained from building what we considered we might need. . . ."

In no more apt language could the situation at Geneva be described and no more apt language could characterize what happened at London.

Mr. President, the escalator clause is the dagger in the heart of this treaty. If this treaty were perfect in every other part, if it had in it the possibility of accomplishing everything we desired in the way of naval disarmament, it would be killed by the escalator clause. By the application of that provision Great Britain can do exactly what was suggested here. As Mr. Gibson said, it will be "able to build exactly what it desired."

Mr. McKELLAR. Mr. President I think possibly the Senator has overlooked the political significance of this treaty; and if he will permit me, I will quote from two well-known newspapers.

The VICE PRESIDENT. Does the Senator from New York yield for that purpose?

Mr. COPELAND. I yield.

Mr. McKELLAR. I call the Senator's attention to an article in the Evening Star of last Monday, the article being written by Mr. David Lawrence, a well-known Washington correspondent and newspaper man. He said:

Usually a President is anxious to get rid of Congress as quickly as possible. At this time, however, Mr. Hoover is bending every effort to force action, so that the whole world may know of America's purposes. He feels he has behind him the public opinion of the country, as relatively little dissent has been expressed to the naval treaty. It was this kind of pressure from the Executive which brought Congress in line during the Wilson administration and it will be politically—

There is nothing said about what good it is going to do our country, but Mr. Lawrence says—

It will be politically a big help to Mr. Hoover if he wins his battle with the Senate.

I then quote from a newspaper account of a statement given out by Mr. TEMPLE, Congressman TEMPLE, who I believe is acting chairman of the Committee on Foreign Affairs of the House of Representatives:

Mr. TEMPLE's praise of the treaty was incorporated in a general review of the work the Hoover administration has done to strengthen the "foundations for future peace." This document was issued through the Republican National Committee. It was considered significant that the defense of the treaty and of the administration came from the chairman of the House Foreign Affairs Committee, and not from Senator ROBAH, head of the Senate Foreign Relations Committee, and one of President Hoover's principal supporters in 1928.

Cataloguing the administration achievements, Mr. TEMPLE assigned first place to the "negotiation of the London naval limitation treaty," putting an end to competitive warship construction between the United States, Great Britain, and Japan.

I call the Senator's attention to the fact that the most notable thing now being claimed about the treaty is not that it is a peace treaty, not that it is for the benefit of the United States, because I do not believe anybody will really claim that, but that it is the most important political achievement to the credit of the Hoover administration.

Mr. COPELAND. Mr. President, I do not know how the Senator from Tennessee may feel about it, but there is nothing that I resent more than the charge frequently made with reference to those on this side of the Chamber and perhaps some on the other side of the Chamber that we are doing this, that, or the other thing "to defeat the President." In the article from which the Senator just quoted, mention was made of a conflict between the Senate and the President. I can say in all truth that I have never cast a vote in the Senate thinking about what effect it would have on the President. He can fight his own battles.

So far as I am concerned—and I believe it is true of every Senator—we are here to do what we think is our duty. I am here to do what I think is my duty. I am not impressed by what the President thinks or what he wants or whether what I do is in harmony with his views or contrary to his views. I am here to do what my judgment tells me is the right thing to do for the American people. That is the reason why I am opposing the treaty. I am not opposing it merely because Mr. Hoover wants the treaty ratified and that I believe it is my duty as a Democrat to prevent its ratification. My disposition always, when the President sends an appointment here, is to vote for the nominee because the President has sent his name here and because I believe the President has investigated his qualities. In the very few instances where I have voted against confirmation it has not been that I wanted to slap the President in the face. It has been because I thought the President's judgment was misplaced.

Mr. McKELLAR. I agree with the Senator in the expression of those sentiments. I think that ought to be the course of every Senator.

Mr. COPELAND. Why should the country be told that there is an effort here to "defeat the President"? Has patriotism

run cold? Are we to set aside all our convictions, all of our patriotic beliefs, set aside our own judgment, because the President of the United States wants us to do thus and so? I take second place to no man in this body in my desire to have the President succeed in his high office. When I hear that he is in ill health or distress, I am as unhappy over it as I would be if there were a Democrat in the White House. We are not here opposing the treaty because the President wants it ratified. The handful of Senators opposed to the treaty are taking that attitude because they are convinced that the treaty is unwise and improper, that it fails to protect our interests, that we have been "outsmarted" by the other men in the conference at London. No man could count himself a patriot who meekly followed the President in this matter or any other when so to follow him would mean a violation of his convictions and of his conscience.

Mr. President, I believe it is unwise for us to ratify the treaty. As I said, if I found the great bulk of the American people convinced that it was the right thing, I would be led to question my own judgment. But the American people do not know what is in the treaty. The average man throughout the country is just as ignorant of what the treaty is and what it contains as the average man is ignorant of the color of the hair of the man in the moon. The average citizen does not know anything about the treaty. He has been told by some one that it is a wonderful treaty and the President wants it. That is enough for him. That is excuse enough for spending 36 cents to send a telegram to tell his Senator to vote for the treaty.

But the treaty fails to give protection to American commerce. The treaty has in it the possibility of discord and distress and the breaking down of peace. The treaty will add to the taxation burden of the people. The treaty is not what it appears on its face to be. To ask the people to accept it is, as I said, like asking them to accept counterfeit money.

Mr. President, I wish I could vote for the treaty. I wish I might do so. It may be that there will be arguments put forth here that will show the conclusions which I have reached are illogical and unscientific, improper, and wrong utterly. With all the light I have, however, with all the study I have been able to give it, with all the advice I have taken from those in high places, I am convinced that it will be a serious mistake for the Senate to ratify the treaty. I sincerely hope that the good judgment of the Senate may prevail and that it may be decided by a majority of those here that the matter may be deferred until a later time when our people may have been given full information regarding the treaty. Then our decision will be more appealing to posterity.

Mr. McNARY. Mr. President, the Senator from California [Mr. JOHNSON], before leaving the Chamber, asked me to suggest the absence of a quorum, on account of the temporary absence of the Senator from Minnesota [Mr. SHIPSTEAD]. I therefore suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Hale	Nye	Stephens
Bingham	Harris	Oddie	Sullivan
Black	Hastings	Overman	Swanson
Borah	Hebert	Patterson	Thomas, Idaho
Capper	Howell	Phipps	Thomas, Okla.
Caraway	Johnson	Pittman	Townsend
Copeland	Jones	Reed	Trammell
Couzens	Kendrick	Robinson, Ark.	Vandenberg
Dale	Keyes	Robinson, Ind.	Walcott
Deneen	McCulloch	Robison, Ky.	Walsh, Mass.
Fess	McKellar	Sheppard	Walsh, Mont.
George	McMaster	Shipstead	Watson
Gillett	McNary	Shortridge	
Glenn	Metcalf	Simmons	
Goldsbrough	Norris	Smoot	

The VICE PRESIDENT. Fifty-seven Senators have answered to their names. A quorum is present. The question is on agreeing to the amendment of the Senator from Arkansas [Mr. ROBINSON] to the resolution of the Senator from Tennessee [Mr. McKELLAR].

Mr. SHIPSTEAD. Mr. President, in the debate on yesterday the charge was made that Senators who feel that the Senate is entitled to all the papers connected with the negotiation and ratification of a treaty base their demand upon a wish to embarrass the President. That charge is not new. In controversies which have taken place in parliaments not only in the United States but all over the world, such a charge has often been made. It is as old as government itself.

Senators here very often disagree with me on public questions, as they have a right to do, but I never question their motives for so doing.

In discussing public questions I think it very well to accord to the opposition the same ideals and good intentions that we like to have accorded to ourselves.

The question of leaving control of foreign affairs in the hands of the Executive has been the cause of controversy not only in the United States but in other countries as well. I want to quote from a very interesting volume written by a member of the British Parliament by the name of Neilson. The volume is entitled "How Diplomats Make War." On page 190 I find, in a quotation from Mr. MacNeill, a member of the British Parliament, where he discusses this subject from the English point of view, the following:

From generation to generation you have allowed treaties involving the highest international obligations—involving questions of peace and war—to be taken absolutely out of the hands of the House. It is no exaggeration to say, so far as international policy is concerned, you have rendered the House as little effectively powerful as any man walking over Westminster Bridge. Over and over again treaties involving matters of life and death, involving questions of first-class importance, have been ratified behind the back of Parliament. * * * The people themselves must be allowed to know all about this diplomacy and what it is. And there should be no secrecy in regard to high diplomatic statecraft about it. The House of Commons is ample judge of what is discreet and what is indiscreet, and it is a complete absurdity for others to treat us as children or for us to allow ourselves to be so treated in matters of such high international importance as those involving questions of peace and war.

On page 63 I quote the author of this volume as follows:

After all, known treaties are the least significant work of diplomats. What is written down in them may some day be revealed, but the secret agreements and tacit understandings made by the agents of governments may be without end, and their true import never reach the people until they are at each other's throats. To what base commitments nations have been pledged by the diplomatists the records of the nineteenth century give us but an inkling.

When I quote the distinguished author and member of the British Parliament, I do not mean to infer that in the negotiation of the pending treaty any base commitments have been made. I do not make that charge at all, nor do I know or suspect that any such have been made. As I said on yesterday, I have taken the time to address the Senate on the pending resolution because of the fact that, to the best of my knowledge, this is the first time the Senate has been called upon to establish a precedent and go on record on the question of whether or not, as a coordinate part of the treaty-making power, it is entitled to all the documents involved in the negotiation of a treaty.

In later years in the United States I think we have been drifting away from the ancient landmarks, not only in the case of domestic affairs but also in the conduct of foreign affairs. Congress itself has delegated from time to time more and more power to the Executive. I do not care to discuss that question now, but I think it is proper at this time to call attention to certain predicaments which have resulted from that policy.

A few years ago we sent the marines down to Nicaragua. The then Secretary of State and the then President—for both of whom I had the highest personal regard—issued statements to the public giving the reasons for sending marines to Nicaragua. The then Secretary of State appeared before the Foreign Relations Committee and gave the reasons why the marines were sent, and later his statement was made public. The gist of that statement was to the effect that the marines had to be sent there to protect the interests of the United States and to break up a communistic conspiracy which was hatching there, fostered by the Soviet Government of Russia through the control of Mexican Government officials; that Mr. Moncado, the chief military officer of the revolutionists, was a part of the conspiracy, and Sacasa, the President of Nicaragua, was another cog in the communistic machine that was conspiring against the United States Government.

After the marines landed in Nicaragua the very distinguished Senator from Idaho [Mr. BORAH] discovered we were not there to put down a communistic conspiracy, but we were there to conduct an election. After the Senator from Idaho had made that discovery the Secretary of State likewise came to the same conclusion. So we conducted an election, and, as the result of that election, the conspirators on account of whom we sent marines to Nicaragua were elected to high office, their chief military officer, Moncado, being made president, and Sacasa, who at that time was president, being now the Nicaraguan minister at Washington.

Members of the Senate protested against the sending of marines at that time. They went there for the purpose which I have stated and with the result I have indicated. The tragedy is that nobody laughs.

We went into Haiti in 1915, I believe, by direction of the Chief Executive, and we took military control of Haiti. If

an act of war has ever been committed, we committed an act of war upon the people of Haiti, solely under the direction of the Chief Executive. The initial act of going in there to restore order no one could find any fault with, but the things we did after we had restored order very many earnest and sincere men who are acquainted with the situation and what we did have thought was a big mistake.

The interesting thing is that that record and that policy was handed down from administration to administration. President Hoover inherited it from his predecessor; and I will say that that is not the only thing that President Hoover inherited for which he is not to blame, and for which in many places he has been blamed.

We had charge of Haiti for 15 years, certainly not under the sanction of Congress but under the sole domination and control of the State Department, reporting to the President of the United States. I want to compliment President Hoover on the courage he showed last winter when he wrote a letter to the Congress asking for a commission and \$50,000 to find out what was going on in Haiti. It took a great deal of courage to do that after we had had charge for 15 years. His letter was, in fact, a petition in bankruptcy for the State Department, asking for a receiver. The report of that commission was a repudiation of our entire policy and program in Haiti for 15 years.

Mr. President, I should like to have read in this connection a very interesting and thoughtful editorial from the Washington Daily News of June 27, entitled "Back to Monroe."

The VICE PRESIDENT. Is there objection? The Chair hears none, and the article will be read.

The Chief Clerk read as follows:

[From the Washington Daily News of June 27, 1930]

BACK TO MONROE

When Frank B. Kellogg realized that he was soon to leave the State Department and probably never again enter public office he apparently tried to undo some of the mistakes he and his predecessors had made. He wanted to lay the foundations of lasting peace. He chose two methods. One was the Kellogg pact for all nations to outlaw war. The other was an honest restatement of the Monroe doctrine to remove Latin American hatred and fear of the United States.

His first project did not materialize as he had hoped. Under the pressure of Great Britain and certain militaristic tendencies in Washington, Kellogg had to witness the emasculation of his antiwar pact by sweeping reservations until that treaty became nothing more effective than a nonbinding aspiration.

But he had a right to expect results from his Latin American peace move, for there only a statement by the United States itself was involved.

As most school children know, the Washington Government, especially during and after the Roosevelt administration, had distorted and misused the Monroe doctrine as a mandate for intervention in Latin America against Latin American governments. Thus the Monroe doctrine, which in fact was and is for the benefit of Latin America, became to the rest of the world the symbol of alleged Yankee hypocrisy and imperialism.

In the interest of historical accuracy and of future friendship, Secretary Kellogg shortly before leaving office sent to all American ministers and ambassadors a restatement of the doctrine, based upon the memorandum of Undersecretary Clark. This restatement, which cut away the vicious Roosevelt and Coolidge "corollaries," was to be delivered to all Latin American governments on order from the incoming Hoover administration. It declared what is true—that:

"The doctrine states a case of United States versus Europe, not of United States versus Latin America. . . . Such arrangements as the United States has made, for example, with Cuba, Santo Domingo, Haiti, and Nicaragua are not within the doctrine as it was announced by Monroe."

In other words, the United States has two policies: One, the Monroe doctrine, applies to all Latin America and prevents European encroachments in those countries. The other, or isthmian intervention policy, applies only to Caribbean countries and arises largely from United States defense motives. It has nothing to do with the Monroe doctrine and must stand or fall on its own merits. In any event, this intervention policy does not apply in any way to most of the South American countries.

Americans now learn with astonishment that the Hoover administration, after 16 months in office, is continuing to jeopardize Latin American friendship by blocking delivery of the Kellogg Monroe doctrine notes. The State Department says now that Secretary Stimson has been too busy to act on this matter.

Not much time is needed to ratify this long-considered and generally accepted Latin American reform policy of the last administration. The Hoover administration should end this delay.

Mr. SHIPSTEAD. Mr. President, I want to compliment the President upon his policy in Haiti and to say that I hope he

will continue the good work he has started in clarifying our actions toward Central and South America, and that the policy enunciated by Secretary Kellogg, based upon the Clark memorandum, may be sent to the various nations by the Hoover administration. I think that will be in the interest of peace, and I hope it will have a deterring effect upon this now for many years continued policy of military intervention in foreign countries without the sanction of Congress.

When the Foreign Relations Committee sent to the President and Secretary of State a request for these documents the Secretary of State answered with a letter in which he said that the language of the document itself must be the basis upon which the treaty should be accepted or rejected. In advertent to that yesterday I quoted Wigmore on Evidence. As a matter of fact, the question of whether or not the notes and documents involved in the negotiation of a treaty become of importance, and whether or not the Senate is so entitled to them as a coordinate part of the treaty-making power was discussed by the Senator from Alabama [Mr. BLACK] yesterday so thoroughly that I had not intended to discuss it to day. However, at the request of several Senators I have consented to take some time in discussing that phase of the controversy now before us.

TREATY-MAKING POWERS OF THE SENATE

On June 12, 1930, the Senate Committee on Foreign Relations adopted the following resolution:

Whereas this committee has requested the Secretary of State to send to it the letters, minutes, memoranda, instructions, and dispatches which were made use of in the negotiations prior to and during the sessions of the recent conference of London; and

Whereas the committee has received only a part of such documents; and

Whereas the Secretary of State, by direction of the President, has denied a second request from this committee for the papers above described, and in his letter to the chairman of this committee has apparently attempted to establish the doctrine that the treaty of London must be considered by the Senate "from the language of the document itself and not from extraneous matter"; Therefore be it

Resolved, That this committee dissents from such doctrine and regards all facts which enter into the antecedent or attendant negotiations of any treaty as relevant and pertinent when the Senate is considering a treaty for the purpose of ratification, and that this committee hereby asserts its right, as the designated agent of the Senate, to have full and free access to all records, files, and other information touching the negotiations of the treaty, this right being based on the constitutional prerogative of the Senate in the treaty-making process; and be it further

Resolved, That the chairman of this committee transmit a copy of these resolutions to the President and the Secretary of State.

On June 12 the Secretary of State transmitted the following reply to Senator BORAH, chairman of the Committee on Foreign Relations:

THE SECRETARY OF STATE,
Washington, June 12, 1930.

DEAR SENATOR BORAH: I have received your favor of today transmitting a copy of a resolution of the Committee on Foreign Relations in respect to letters and documents in the recent negotiations of the naval treaty.

I did not, in my letter to you of June 6, attempt to define the duties of the Senate or the scope of its powers in passing upon treaties. My statement in that letter that "the question whether this treaty is or is not in the interest of the United States and should or should not be ratified by the Senate must in the last event be determined from the language of the document itself and not from extraneous matter" was intended to call attention to the fact that the obligations and rights arising from the treaty, as in the case of any other contract, must be measured by the language of the document itself.

Very respectfully,

HENRY L. STIMSON.

Accordingly, as a member of the Foreign Relations Committee, and in connection with the committee's action in reporting the treaty of London, I beg to call attention to certain clauses and implications in the letters of the Secretary of State declining to grant the request of the Committee on Foreign Relations for subject matter embraced in papers prior to and during negotiation of the proposed treaty of London, including "letters, minutes, memoranda, instructions, and dispatches" relevant and pertinent to the Senate's consideration of the proposed treaty for the purposes of ratification.

The Secretary of State takes the position that the needs of the Senate are satisfied by perusal of "the language of the document itself"; and he reaches the gratuitous conclusion that pertinent and relevant subject matter entering into or leading

up to the negotiation is "extraneous matter" not necessary to the Senate's consideration.

The Secretary further implies, in his words, "scope of its powers in passing upon treaties" that the Senate is not a component part of the coordinate treaty-making power, but is limited to "passing upon treaties."

His position, therefore, would seem to be that a proposed treaty, or treaty form, is per se a treaty, before the Senate, as coordinate and coequal treaty maker in conjunction with the Executive, and that the Senate has considered the document and given its "advice and consent" by two-thirds vote, as provided in the Constitution.

The Secretary of State rightly speaks of a treaty as a "contract." But in his well-recognized position as an attorney of law has he forgotten that well-known rule of law, that "suppressio veri," or concealment of material facts from the knowledge of one of the contracting parties, vitiates a contract?

The Supreme Court of the United States classifies a treaty as part of "the law of the land." Under the Constitution no "law of the land" is enacted solely by Executive action. "Advice and consent" of two-thirds of the Senate is required to make a treaty the "law of the land" whereas only a bare majority of the Senate suffices for the passage of an ordinary statute.

Treaty making is a sovereign power. It is one of the highest sovereign powers which a nation can possess. No people having serious regard for the public safety, for national perpetuity, for the protection of their boundaries, or for the lives of their sons can afford to misunderstand, forget, or regard lightly their treaty-making powers.

The present public need of a clear understanding of the treaty-making powers of the 120,000,000 people of the 48 States, especially with relation to powers intrusted to the Senators of the respective States, is well illustrated by an editorial leader of the Washington Post of June 18, 1930, which I beg herewith to reprint—the italics being mine:

THE TREATY-MAKING POWER

Addressing the graduating class of Juniata College during the commencement exercises at that institution recently, Henry P. Fletcher, former ambassador to Italy, took occasion to suggest to his hearers that they consider whether or not it would be advisable to amend the rules and regulations of Congress so as to provide for the participation of Members of the Cabinet in the debates. No amendment to the Constitution would be necessary to assure the participation of these officials in the deliberations of either the House or Senate.

Mr. Fletcher sees in the growing custom of appointing Senators on diplomatic commissions, such as that which recently negotiated the naval treaty, a recognition of the necessity for something like participation on the part of the President's official family in the consideration of such measures in the Senate. Like other men who have held diplomatic positions, the former ambassador appears to think that a treaty is more or less sacred and should not be subject to emasculation or amendment in the Senate without giving the Secretary of State, who is the medium of negotiation between foreign governments and their representatives on the one hand, and the United States on the other, full opportunity to appear on the floor of the Senate to defend the action of his department in the framing of the agreement.

"You might profitably stop to consider in this connection the treaty-making or rather treaty-making power of the Senate," said Mr. Fletcher. Then he spoke of the interest which the States had in treaty making, when most of such conventions had to do with the relationship between the Federal Government and the Indian tribes. "State interests were more individualistic then, but in the course of 150 years these individual interests of States as States, in our foreign affairs have almost entirely disappeared."

Mr. Fletcher called attention to the fact that instead of inviting the Secretary of State to explain a treaty on the floor of the Senate he is admitted only to the Committee on Foreign Relations, and not always is he invited even thus far. The treaty-making power, said Mr. Fletcher, is given in effect to 33 "supermen" who happen to be Senators, "but who are not, in any single case, elected because of their special knowledge of or interest in foreign affairs."

This arrangement strikes Mr. Fletcher as a negation of democracy. But it may be argued that the makers of the Constitution were not trying to set up a democracy. Perhaps they thought that democracy had been allowed all that was safe to grant in other parts of the Constitution.

The above editorial signifies that public misapprehension of the treaty-making powers as provided in the Constitution may extend even to editors and ambassadors. It is common to find such misapprehension of the American treaty-making power in press columns and diplomatic utterances abroad. It is more serious when we find this misapprehension at home.

EXCHANGE OF NOTES AS VITAL SUBJECT MATTER

Before entering into a discussion of constitutional provisions and an historical outline of the practice of our Presidents and Senates, I wish, first of all, to call attention to the vital import of note exchanges and related collateral evidence regarding the meaning and purpose of a treaty.

The necessity of the Senate to have before it, in performance of its constitutional function as coordinate treaty maker, the exchange of notes leading up to and entering into the negotiations, as well as have full and free access to all relevant subject matter, is plain when we take into consideration:

First. That international agreements may be negotiated without any treaty, simply by exchange of notes—a fact demonstrated by scores of instances both in our history and in that of every nation.

Second. The first naval armament negotiation of the United States, that between this country and Great Britain in 1818, regarding the navy on the Great Lakes during the Monroe administration, was by exchange of notes, without treaty, and President Monroe set up the first American precedent of negotiation on naval armament when he transmitted all exchanges of notes and all other papers relevant to the case with his message to the Senate. And Monroe's ultimate proclamation of the treaty was based on the Senate's "advice and consent" after study of the papers.

Third. A treaty may be general in form, the concrete application being defined in notes in which particular exceptions are specified.

Fourth. The controlling purpose of a treaty may not be clear unless it is read in the light of the antecedent and attendant notes and diplomatic understandings.

Fifth. Exchanges of notes, "confidential" and "secret" understandings are among the most fruitful causes of war, as was the case in the recent World War. Also, they are fruitful causes of boundary disputes, misunderstandings over shipping and fishery rights, and are the productive cause of what is known as "paper treaties."

Sixth. In short, it is American law and international law that the contracting treaty parties—of which under the Constitution the Senate by its required two-thirds vote is a coequal in making all American treaties—shall have complete power over the subject matter. We shall find that to be the holding of our leading American authorities when we come to consult, as I do later, such authorities as Moore's Digest of International Law, by the international jurist, John Bassett Moore; Treaties, Their Making and Enforcement, a leading textbook by Judge Crandall; The Treaty-Making Powers of the Senate, by Henry Cabot Lodge, for many years a member of the Senate Foreign Relations Committee.

Seventh. Withholding of material subject matter, such as exchanges of notes, instructions and dispatches, protocols of the proceedings of the negotiators, indeed, the existence in itself of "confidential" and "secret" documents not communicated to a contracting party, such as the Constitution has made the Senate, constitutes what in contract making is termed "suppressio veri," which legally vitiates a contract and morally invalidates a treaty.

We shall see, as we go over the history of American treaty cases—the precedents set by the early Presidents: Washington, Adams, Jefferson, Madison, and Monroe, and followed by Jackson, Polk, Lincoln, Grant, Cleveland, and other successors—that it is a well-established American custom, dating from the time of the framers of the Constitution, for the Executive who shares the coordinate treaty-making power with the Senate to acquaint the Senate with the complete diplomatic record. Indeed, it was the uniform practice of the early Presidents to lay all available subject matter before the Senate prior to negotiation in order to secure the Senate's "advice" in advance. Later practice was to transmit the papers with the treaty message, or sometimes in advance of the message. But there appears to be no American precedent of a refusal on the part of the Executive to transmit to the Senate, his partner and coequal in treaty making, any subject matter deemed by the Senate essential to consideration in rendering its required "advice and consent."

WHERE THE NEGOTIATION RELATES TO PEACE OR WAR

Congress, under the Constitution, has the sole power to declare war. Therefore, it has been the almost universal custom of American Presidents, if they judged the issue bore any relation to possible differences involving war, to lay the matter, including papers, before the Senate—frequently prior even to negotiations.

That was done by President Monroe in the naval armament negotiation of 1818 in the British settlement with regard to the Great Lakes.

President Jackson sought the prior advice of the Senate with regard to settlement of difficulties with the Indian tribes.

President Polk laid the whole subject, with all note exchanges and other relevant papers, before the Senate in the settlement of the Oregon boundary question with Great Britain—submitting all data prior to negotiation, and on the ground that, as Congress had the sole power of declaring war, there should be complete harmony of purpose between the executive and legislative branches of Government before entering upon a negotiation that might lead to belligerent conditions.

Presidents Lincoln and Grant followed the precedents of Monroe and Polk on several occasions. General Grant, when President, was one of the most scrupulous of all Presidents on the point that any proposed negotiation, even a treaty of arbitration with Great Britain, that might involve belligerent possibilities, should first be laid before the Senate for its advice, and that the Senate should be provided with all papers prior to the instituting of negotiations.

In the North Atlantic Fisheries case, which hardly could be said to involve a question of war, President Cleveland directed Secretary Bayard to transmit all notes to the Senate, even three years prior to any direct negotiation.

ORIGIN OF NEGOTIATION BY NOTE EXCHANGES

It is not difficult to understand the origin of the Old World custom of negotiation by exchange of diplomatic notes. Up to the early part of the eighteenth century it was the European custom to write treaties in Latin. (See Moore's Digest of International Law, vol. 5, p. 180.) Exact knowledge of what the treaty meant, the concrete particulars of the treaty's application, were supplied by exchange of notes written in a language which the writer and reader understood.

When Latin ceased to be used in treaty writing, French became the diplomatic language. When Benjamin Franklin in 1785 (Moore's Digest, id.) transmitted to Congress a consular convention with France, John Jay remarked that it appeared to be in French, and he observed that it seemed expedient "to provide that in the future every treaty or convention which Congress may think proper to engage in should be formally executed in two languages," one of which should be "the language of the United States."

The Old World custom of couching treaties in terms and in a language not readily understood by the lay world may partly have been inspired by the following condition: The treaty was a contract between two monarchs. It was not presumed to be understood by the "subjects," who might lose their lives and property in war by reason of the offensive or defensive alliances provided for in the treaty. To avoid the contingency of the treaty being so plainly understood as to cause popular uprisings, the treaty was written in Latin and French and in diplomatic terms. Therefore exchanges of notes became highly essential to a concrete understanding of the purpose and application of a treaty.

Much of the public language used in high places to-day requires exchange of notes, diplomatic conversations, telegrams, letters, and sundry memoranda to arrive at the precise application and significance of the general terms employed.

SOURCE OF THE TREATY POWER IN THE UNITED STATES

When the American Revolutionists threw off their British allegiance and formed the new Republic, the people of the thirteen States became the sovereign who exercised the treaty power. Prior to the Constitution Congress made the treaties—each State having one vote in making and ratifying. Under the Confederation, the vote of 9 of the 13 States was necessary to approve a treaty. It was deemed essential to insure that a minority of the States should not be able to bind the majority. (Vide Henry Cabot Lodge, *The Treaty-Making Powers of the Senate*, Scribner's Magazine, January, 1902; John W. Foster, former Secretary of State, *The Treaty-Making Power Under the Constitution*, Yale Law Journal, December, 1901.)

Congress exercised the sole treaty-making power of the United States in approving all the first treaties in the founding of the Nation. It named the commissioners—John Jay, John Adams, and Benjamin Franklin—who negotiated the treaty of peace, 1783, for terminating the war with Great Britain, establishing the boundaries, and acquiring the territory of the original thirteen States. Congress reviewed the work of the commissioners and ratified the treaty.

Prior to the Constitutional Convention of 1787, Congress consummated treaties with the various powers of Europe—Great Britain, France, Prussia, Austria, Russia, Netherlands, Sweden, and the rest—covering a wide range of subjects, as amity and commerce, navigation, loans, duties and imposts, contraband of war, most-favored-nation treatment, maritime warfare rules, shipping, prizes, ports, pirates, visitation and search, letters of

marque and reprisal, courts abroad, and postal conventions. Each State had one vote in making and ratifying the treaty—nine States necessary for ratification. (Vide Crandall, Samuel Benjamin, *Treaties—Their Making and Enforcement*, ch. 3, pp. 24-30.)

This democratic mode of treaty making was something new to Old World diplomacy, wherein the kings, not the people, were the contracting parties. On the occasion of the treaty of May 12, 1784, ratified with Great Britain, Crandall's Textbook (p. 32) contains this reference:

In the instrument of ratification as adopted by Congress, there seemed to the British Government to be a want of form, wherein the United States was mentioned "before His Majesty, contrary to the established custom in every treaty in which a crowned head and a republic were parties."

So many kings, emperors, czars, and kaisers have been abolished in Europe since that day, especially since the World War, which was due to this same Old World diplomacy, that treaty making by a republic no longer causes distress of "Majesty" because of "want of form." In that excellent Senate Document No. 26, Sixty-sixth Congress, first session, *Ratification of Treaties*, compiled by Griffin, and reported by the Senator from New Hampshire [Mr. Moses], June 5, 1919, we find this reference in the introduction:

The change in the form of government in Germany naturally changes the conditions of ratification in that country. The method followed in the past is modified by transferring the ratifying power from the crown to the legislature.

No longer does a German treaty begin with the words: "Wir Wilhelm von Gottes Gnaden Deutscher Kaiser," but the new sovereign, the people of Germany, give treaty sanction pursuant to the American plan now established as a world model these 148 years.

TREATY MAKING ON ADOPTION OF THE CONSTITUTION

Prior to 1787 treaty sanction was by vote of 9 of 13 States.

After 1787 treaty sanction was by "advice and consent" of two-thirds of the Senators of the States. The Executive was added to the Senate two-thirds as a coordinate and coequal of the joint treaty-making powers of the United States.

In the original draft of the treaty clause as adopted by the Constitutional Convention, the Senate, as directly representing the States, was given the sole treaty-making function. The obvious necessity of an executive negotiator, however, prompted the committee on detail to add the name of the President, who was to conduct the negotiations by "advice and consent" of two-thirds of the Senate. A bare majority of the Senate was deemed by the framers of the Constitution as insufficient in making a treaty "the law of the land." The vote of nine-thirteenths of the States was required prior to 1787, and the vote of two-thirds was provided thereafter—insuring that no minority of States could bind the majority. (Vide Lodge, *The Treaty-Making Powers of the Senate*, pp. 35-36; Crandall, *Treaties—Their Making and Enforcement*, ch. 4.)

Senator Lodge makes this comment on the addition of the President to the treaty-making function which had been formerly in the sole hands of the States through their representatives in Congress (p. 36):

This was an immense concession by the States, and they had no idea of giving up their ultimate control to a President elected by the people generally. Here, therefore, is the reason for the provision of the Constitution which makes the consent of the Senate by a two-thirds majority necessary to the ratification of any treaty projected or prepared by the President. The required assent of the Senate is the preservation to the States of an equal share in the sovereign power of making treaties which before the Constitution was theirs without limit or restriction.

After reviewing instances, from Washington down to Lincoln, wherein the Executive and Senate in performance of their coordinate function had joined in making the treaties of the Republic, Senator Lodge (p. 37) adds the following conclusion:

The right of the Senate to share in treaty making at any stage has always been fully recognized both by the Senate and the Executive, not only at the beginning of the Government, when the President and many of the Senators were drawn from the framers of the Constitution and were, therefore, familiar with their intentions, but at all periods since.

This statement was made in 1902. It seems to have been good since that day—unless possibly the consideration of the present naval armament negotiation.

WASHINGTON'S INTERPRETATION OF THE TREATY CLAUSE

General Washington was the presiding officer of the Constitutional Convention of 1787. He knew personally the Constitution's framers and their intentions. His Cabinet, his min-

isters and ambassadors abroad, the Senate with whom he joined in treaty making, were largely drawn from the framers of the Constitution.

Washington set the Executive precedent for American treaty making for these 140 years—treaty making under the provisions of the Constitution. We one and all do Washington lip service. Shall our works continue to measure up to our words?

Consulting our authorities—Moore, Crandall, Lodge, Foster—indeed, consulting the now world-known record of the Washington administration, we find that Washington interpreted the "advice and consent" clause to mean: (1) Senate "advice" prior to negotiation; (2) Senate "consent" at all stages of negotiation, with the final seal of ratification.

All subject matter in Washington's possession was laid by him before the Senate for consideration and for their "advice" prior to negotiation, and for their "consent" by ratification thereafter. In all particulars, "at every stage," the Executive and Senate were the coordinate treaty makers.

Until the Senate has duly considered the negotiation and passed upon the treaty document, says Lodge (p. 34):

The treaty, so called, is therefore inchoate, a mere project for a treaty, until the consent of the Senate has been given to it.

In obtaining Senate "advice" prior to negotiation, Washington first tried the plan of visiting the Senate in person. Maclay (see Crandall's Textbook, p. 67) describes the incident:

The President was introduced and took our President's chair. He rose and told us bluntly that he had called on us for our advice and consent to some propositions respecting the treaty to be held with the southern Indians.

Washington was accompanied by General Knox, who was familiar with Indian affairs and prepared to answer Senate questions. There appeared to be seven specific questions involved. The Senate took the papers and oral testimony under advisement and voted, affirmatively or negatively, on the seven points of proposed negotiation, at its following Monday session.

Transmission of papers prior to negotiation was deemed thereafter to be the more practicable method of Executive and Senate cooperation. Crandall (p. 68, *id.*) cites the Journal record for Washington's special messages seeking Senate advice in opening Indian negotiations, as of August 4, 1790, August 11, 1790, January 18, 1792, wherein the Senate voted advice and consent prior to negotiation.

On February 9, 1790, the record shows that Washington was awaiting Senate advice in negotiating a boundary treaty with Great Britain.

May 8, 1792, he inquired for Senate advice in negotiating a proposed treaty with Algiers for payment of ransom and peace money.

Secretary of State Jefferson, April 1, 1792, advised Senate consultation for validating such treaty.

Navigation on the Mississippi was the subject of the President's consulting with the Senate January 11, 1792, with regard to instructing *Chargés d'Affaires* Carmichael and Short to negotiate with Spain at Madrid.

On February 14, 1791, the business of the mission of *Gouverneur Morris* to Great Britain was laid before the Senate, and on various dates during 1794 the Senate received communications with regard to the so-called Jay treaty with Great Britain. Says Crandall (p. 70, *id.*):

The first attempts of the Executive to follow out the clear intention of the framers of the Constitution, in consulting the Senate prior to the opening of negotiations, have been followed only in exceptional instances.

Crandall (*Treaties—Their Making and Enforcement*, pp. 67–72, Ch. VI, *Advice and Consent of the Senate*) enumerates about 30 instances where the Executive consulted with the Senate for advice prior to negotiation. The citations range from 1790 to 1884, and the Presidents seeking Senate advice prior to negotiation include Washington, Adams, Jefferson, Madison, Monroe, Jackson, Polk, Buchanan, Lincoln, Johnson, Grant, and Arthur. Senator Lodge cites other instances (pp. 37–42, *The Treaty-Making Powers of the Senate*), in all about 40, and says:

From these various examples it will be seen that the Senate has been consulted at all stages of negotiations by Presidents of all parties, from Washington to Arthur (p. 42, *id.*).

Among the Presidents who notably and more commonly adopted the practice of consulting the Senate prior to negotiation were Washington, Monroe, Jackson, Polk, Lincoln, and Grant. It will be noted that they are 2-term Presidents, whose names stand out preeminently in the Nation's history.

Ordinarily, where the issue of peace or war is not involved, or the protection of the national boundary, the question may not

be of such moment as to call for executive consultation with the Senate prior to negotiation. Nevertheless, it is interesting to note, in the textbook most frequently cited by our international jurist, John Bassett Moore, namely, Crandall's work, this passage, "the clear intention of the framers of the Constitution, in consulting the Senate prior to the opening of negotiations." It is obvious that when a President consults the Senate prior to negotiation, he lays before them the pertinent and relevant subject matter for their consideration in giving advice.

MONROE PRECEDENT IN THE NAVAL ARMAMENT CASE OF 1818

Turning to Moore's *International Law Digest*, by John Bassett Moore, pages 214–215, volume 5, we read under the head "Exchange of Notes":

The arrangement between the United States and Great Britain of April 28–29, 1817, was effected by an exchange of notes between Mr. Bagot, British minister at Washington, and Mr. Rush, Secretary of State. Orders were at once given for the proper executive officers of the two Governments for its execution.

April 6, 1818, President Monroe, apparently out of abundant caution, communicated the correspondence to the Senate. (*American State Papers*, For. Rel. IV, 202.)

The Senate, on the 16th day of the same month, by a resolution in which two-thirds of the Senators present concurred, "approved and consented to" the arrangement and "recommended that the same be carried into effect by the President." The President proclaimed the arrangement April 28, 1818.

Outstanding in this brief citation one can not fail to note the following plain signs:

First. That "exchange of notes" may be the *res gestae* of the negotiation, even in a naval armament agreement.

Second. That when the spirit of the Constitution is followed and the Executive deals frankly and promptly with his copartner, the Senate, in the proposed negotiation the entire transaction goes through in complete harmony and dispatch.

Third. In a matter involving peace or war—the latter being a subject over which Congress has the declaratory power—it was the early view of the White House, in the case of a President so thoroughly American as James Monroe, author of our Monroe doctrine, that the Senate should have before it all relevant papers, even prior to negotiation.

Thus handled, the first American naval armament negotiation was completed within the brief space of 30 days—an excellent example of American efficiency and simplicity, when the clear intent of the Constitution framers is carried out without concealment or evasion.

John Bassett Moore alludes to President Monroe's "abundant caution." One might well add to that Monroe's abundant Americanisms. His Americanism was so broad and thorough that the period of the Monroe administration is alluded to in American history as the "era of peace," when party dissent faded out until only one political party remained in the field, all followers of the Monroe American idea.

HOW POLK HANDLED THE OREGON BOUNDARY ISSUE OF 1846

The Oregon boundary question was one fraught with possible international consequences in our relations with the United Kingdom. President Polk, on June 10, 1846, laid the entire matter, with all papers, before the Senate.

In his message accompanying the papers, he called attention to American precedent:

General Washington repeatedly consulted the Senate and asked their previous advice upon pending negotiations with foreign powers, and the Senate in every instance responded to his call by giving their advice to which he always conformed his action . . . The Senate are a branch of the treaty-making power, and by consulting them in advance of his own action upon important measures of foreign policy which may ultimately come before them for their consideration, the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance upon any great question which may involve in its decision the issue of peace or war.

This message, with accompanying papers, was transmitted to the Senate on June 10. The treaty (two-thirds of the Senate concurring) was signed June 15, submitted to the Senate and ratified. In like expeditious manner the Senate cooperated with the Executive, August 4, 1846, in territorial negotiations with Mexico.

LINCOLN FOLLOWED THE PRECEDENT OF WASHINGTON

Senator Lodge (p. 41 of his review) cites six instances wherein President Lincoln followed the early examples of Washington, Monroe, and Polk, and consulted the Senate for advice and consent prior to negotiation and pending the same.

On March 16, 1861, Lincoln's first message to the Senate asked for the Senate's advice and consent with respect to three questions looking toward a proposed negotiation for arbitration with Great Britain.

December 17, 1861, he submitted to the Senate a draft of a convention sought by Mexico, and sought advice upon it before ratification.

January 24, 1862, he asked for Senate advice before negotiating a loan with Mexico.

February 25, 1862, the Senate by resolution advised against the Mexican loan under certain contingencies, and on June 23, 1862, Lincoln submitted a message with a revised plan.

March 5, 1862, Lincoln's message dealt with advice on the Paraguayan award.

February 5, 1863, Lincoln suggested a Senate amendment of the proposed arbitration convention with Peru.

GRANT FOLLOWS MONROE AND POLE ON PEACE QUESTIONS

Three instances where President Grant laid the subject matter before the Senate prior to negotiation are cited by Senator Lodge (pp. 41-42).

April 5, 1871, Grant laid before the Senate a dispatch from the minister to Hawaii for Senate information and advice.

The most important case was that relating to differences with Great Britain under the treaty of Washington and proposed arbitration thereof. Grant's message to the Senate, May 13, 1872, relating to the adoption of an article proposed by Great Britain, said:

The Senate is aware that consultation with that body in advance of entering into agreements with foreign states has many precedents. In the early days of the Republic General Washington repeatedly asked their advice upon pending questions with such powers. The most important precedent is that of the Oregon boundary treaty in 1846.

The importance of the results hanging upon the present state of the treaty with Great Britain leads me to follow these former precedents and to desire the counsel of the Senate in advance of agreeing to the proposal of Great Britain.

SENATE AMENDMENTS OF PROPOSED TREATIES

Up to 1900 Senator Lodge (pp. 42-43, id.) lists 68 treaties amended by the Senate.

Up to the present date, June, 1930, possibly 100 treaties have been amended by the Senate prior to ratification.

As to the significance of the Senate's treaty-making powers in this regard, these conclusions are obvious:

First. The Senate amendment in itself is a continuance of the treaty-making negotiations begun by the Executive.

Second. The consideration of the merits of the proposed negotiation for the purposes of amending and perfecting the treaty document presupposes full and free command of the subject matter of the proposed treaty.

Third. No Executive has ever questioned the power of the Senate to amend a treaty—which implies that no logical reason exists for withholding papers relevant to the Senate's function in treaty amendment.

PRESIDENT CLEVELAND IN THE FISHERIES CASE OF 1888

Two modern precedents were set in the handling of the dispute with Great Britain in the North Atlantic Fisheries case, settled by treaty in 1888.

Secretary Bayard (Foreign Relations, 1885, p. 460) in 1885 transmitted to the Senate the note exchanges that had superseded the terminated fishing articles of the treaty of 1871. Disputed fishery rights had thereafter been governed by exchange of diplomatic notes. A list thereof is published in Foreign Relations, 1885, pages 460-466. Secretary Bayard's report to Congress contains this passage, which is a sufficient indication of Executive policy as construed by the President and State Department of that date:

Copies of the memoranda and exchanged notes on which this temporary agreement rests are appended.

Bayard's transmission of the early note exchanges was in 1885. That was years prior to the treaty. It therefore would appear that diplomatic exchanges prior to treaty negotiation may be of deep relevance for a period covering several years. Deprived of consideration of these note exchanges for the period 1885-1888, the Senate could not intelligently have given its advice and consent, as requested by the message of President Cleveland, February 20, 1888.

President Cleveland's message assures the Senate that it will receive papers up to date, in addition to note exchanges already transmitted by Secretary Bayard. This message, in my judgment, a good American model for messages seeking the advice and consent of the Senate pursuant to constitutional mandate, contains the following enlightening information:

The greater part of the correspondence which has taken place between the two Governments has heretofore been communicated to Congress, and at as early a day as possible I shall transmit the remaining portion to this date, accompanying it with the joint protocols of the conferences which resulted in the conclusion of the treaty now submitted to you.

You will thus be fully possessed of the record and history of the case since the termination, on June 30, 1885, of the fishery articles of the treaty of October 20, 1818.

As the documents and papers referred to will supply full information of the positions taken under my administration by the representatives of the United States, as well as those occupied by the representatives of the Government of Great Britain, it is not considered necessary or expedient to repeat them in this message.

* * * These provisions will secure the substantial enjoyment of the treaty rights for our fishermen under the treaty of 1818, for which contention has been steadily made in the correspondence of the Department of State, and our minister at London, and by the American negotiators of the present treaty. (See pp. 238-239, Ratification of Treaties, S. Doc. No. 26, 66th Cong., 1st sess.)

COURTS OF ARBITRATION FIND SECRET DOCUMENTS IMPORTANT

It is interesting to note that a controversy over fishing rights in the North Atlantic had arisen from time to time since the signing of the treaty of 1818. The treaty of 1888, negotiated by President Cleveland and ratified by the Senate, the Senate having all the documents, did not settle the controversy. It was, therefore, decided to submit to a court of arbitration at The Hague, which was done in 1910.

The decision of the arbitration court shows that one of the important questions involved was decided upon the basis of correspondence exchanged between Lord Bathurst and John Quincy Adams, American minister to Great Britain, the notes having been exchanged in 1815, three years before the signing of the treaty. (Hyde's International Law, vol. 2, p. 535.)

In 1898 a controversy arose with Switzerland over a most-favored-nation treaty signed in 1850. As American Secretary of State, Mr. Day stood squarely on the text of the treaty with Switzerland. Switzerland, however, claimed that the meaning of the treaty must be gained not only from the text but also from all extraneous matter pertaining thereto. It developed that the plenipotentiary of the United States had made certain agreements and these agreements had been reported to the President by correspondence. When this was called to the attention of John Hay, who in the meantime had become Secretary of State, he addressed a note to the Swiss Government saying he had investigated the matter and discovered that Switzerland was right.

Under these circumstances we believe it to be our duty to acknowledge the equity of the reclamation presented by your Government. Both justice and honor require that the common understanding of the high contracting parties at the time of the executing of the treaty should be carried into effect. (Hyde's International Law, vol. 2, p. 535.)

Exploration of the Alaskan boundary controversy and the controversy that arose over the boundary between the United States and New Brunswick can lead only to the conclusion that notes and correspondence prior to and during the negotiations of the treaty become of vast importance in case of dispute as to the meaning of the text of the treaty when such dispute is submitted to an arbitral tribunal for decision.

If in case of the national fishery rights, it is sound American precedent that all correspondence, exchange of notes, protocols of proceedings of negotiators, covering a period at least three years prior to final negotiation, be submitted to the Senate as a "component part" of the treaty-making power, then assuredly in a case involving the issues of peace and war, where Congress has the sole declaratory power, the duty of the Executive would appear to be plain.

That was the frank judgment of President Grant, himself a high military authority, the victorious general of the Union Army in the Civil War. That was the judgment of President Polk, who participated in the issues of the Mexican War. That was the judgment of President Washington, the general who won for his country the American Revolution. Washington set the precedent of American policy and practice according to the known and "clear intention of the framers of the Constitution." And the American people, and the cause of world democracy at large, are to be congratulated, that so many American Presidents have stood foursquare with the gospel of the American Constitution.

FOREIGN COMPLAINTS OF SENATE ACTION

Old World opposition to the American plan of treaty making extends to the whole subject of Senate participation—to the entire policy as laid down in the Constitution.

The American plan, whereby the people of the 48 States have sovereign voice through their Senators, upsets completely the Old World program of two sovereigns personally making a treaty contract or sub rosa agreement, without knowledge of their "subjects."

Moore, *International Law Digest*, Volume V, by international jurist John Bassett Moore, touches on some of the cases of foreign complaint.

May 12, 1803, a convention, signed in London for settling the northern boundaries of the United States, was submitted by President Jefferson to the Senate. The Senate approved on condition that the fifth article be expunged. The British Government did not except the amendment, and ratifications were not exchanged. Page 190, Volume V, of Moore's *Digest*, gives the reason for British disapproval:

The propriety of a partial approval by the Senate was doubted by the British Government. See Mr. Monroe, minister to England, to Secretary of State, June 3, 1804, *American State Papers*, Foreign Relations III, 93. (For preliminary correspondence in relation to the convention see id. II, 382, 584, et seq.)

This citation affords the Senate in the present discussion two interesting side lights: First, the British Government doubts the "propriety of a partial approval of a treaty by the Senate"; second, in the time of Jefferson and Monroe, the "preliminary correspondence" in relation to a convention is laid before the Senate, and even published as a State document. The British reaction to Senate activity was not even a "diplomatic confidence," but was spread broadcast, so that the entire body of American popular sovereignty might read.

A second case of British disapproval of Senate action came in 1824. President Monroe submitted to the Senate a convention for the suppression of the African slave trade, with a message, May 21, 1824. The Senate approved it with conditions which Great Britain refused to accept. Henry Clay, Secretary of State, in his published note to Mr. Addington, British Ministry, April 6, 1825, stated the American policy in terms well worth reading by all Americans to-day (see Moore's *Digest*, Vol. V, pp. 200-201):

The Government of His Britannic Majesty is well acquainted with the provision of the Constitution of the United States, by which the Senate is a component part of the treaty-making power; and that the consent and advice of that branch of Congress are indispensable in the formation of treaties. * * * The people of the United States have justly considered that, if there be any inconveniences in this arrangement of their executive powers, those inconveniences are more than counterbalanced by the greater security of their interests, which is effected by the mutual checks which are thus interposed. But it is not believed that there are any inconveniences to foreign powers of which they can with propriety complain. * * * This information the Government of the United States has always communicated to the foreign powers with which it treats, and to none more fully than to the United Kingdom of Great Britain and Ireland.

Jurist Moore (p. 201 same) follows the above case with the following citation from Crandall, *Treaties—Their Making and Enforcement*, 70-71:

While the Senate's practice of amending treaties continues to meet with criticism by foreign writers, it would not be contended for a moment that the Senate might not reject in toto or withhold action altogether until the changes, which it might indicate by resolution or otherwise had been negotiated.

Refusal to submit correspondence or exchange of notes to the Senate in the performance of its treaty-making duty is an entering wedge for the undermining of all Senate participation in negotiation. The Senate can take no material action, except to sign on the dotted line, unless it has complete access to official data. Without evidence the Senate can arrive at no decision. It becomes a jury without power to examine witnesses. Its entire function would be resolved into the act of nodding assent to a paper submitted to it by the Executive.

JUSTICE BREWER ON KEEPING SECRETS FROM INDIANS

On June 11, 1838 (170 U. S. 1, 23), the Senate, in advising ratification of a treaty negotiated with the Sioux and other tribes of Indians, introduced an amendment. The President, in his proclamation to the Indians, made no allusion to the Senate proviso. The Supreme Court therefore held that the Indians could not be held subject to the proviso that, perhaps inadvertently, had been withheld from their knowledge. The language of Justice Brewer, speaking for the court, is significant and interesting (*Treaties—Their Making and Enforcement*, pp. 88-89):

There is something, too, which shocks the conscience in the idea that a treaty can be put forth as embodying the terms of an arrangement with a foreign power or an Indian tribe, a material provision of which is

unknown to one of the contracting parties, and is kept in the background to be used by the other only when the exigencies of a particular case demand it.

The world will applaud this utterance of Justice Brewer speaking for the United States Supreme Court. Provisions should not be unknown to one of the contracting parties—even though an Indian. Nothing should be "kept in the background." And the Senate of the United States should not be kept in the dark by secret confidences, or undelivered information of any kind. It is entitled to all the rights which the court accords to the Sioux Indian.

It may be contended by the Executive that we are refused no "material provision" relating to the proposed naval arms treaty. We shall know that fact, if true, when the Senate, as coordinate treaty-making power, receives from the Executive the full proceedings to which, under the Constitution, we are entitled.

SUMMARY

First. Both in its origin and in American treaty-making practice for over 100 years the Senate, under the Constitution, is a component part of the treaty-making power, and as such has complete power over the subject matter of negotiation, both antecedent thereto and attendant thereupon.

Second. The so-called treaty drafted by negotiators is, in fact, as well stated by Senator Lodge, "inchoate, a mere treaty form," unless it becomes a treaty by advice and consent of two-thirds of the Senate.

Third. The treaty power residing in the people is conferred for treaty-making purposes by the Constitution upon the Executive and the Senate, who are coequals working by coordination, and both the Executive and the Senate are sworn to maintain and uphold the Constitution.

Fourth. The treaty-making powers of the Senate, as of the Executive, extend to every stage of the negotiation, prior thereto and during negotiation, and culminate advice and consent for purposes of ratification.

Fifth. Power over the subject matter includes full and free access to all pertinent and relevant papers—note exchanges, diplomatic understandings, letters, telegrams, memoranda, all collateral evidence defining the meaning, the concrete application, and ultimate purpose of the negotiation.

Sixth. These principles have been crystallized in the practice of the Executive and Senate from the day of Washington and Monroe down to the present time. No precedent can be cited wherein the Executive hitherto, as a member of the coordinate treaty-making power, has refused his coequal in treaty making—the Senate of the United States—a request for papers pertinent to the consideration of a proposed treaty.

Seventh. The Supreme Court, in the language of Justice Brewer, finds there is "something which shocks the conscience" in withholding a proviso from "one of the contracting parties," even though an Indian. The evidence that no such material proviso is concealed from the Senate, a contracting party, is readily available by submitting all subject matter pursuant to the Constitution.

Once freed from the primitive formalism which views the document as a self-contained and self-operative formula, we can fully appreciate the modern principle that the words of a document are never anything but indices to extrinsic things, and that therefore all the circumstances must be considered which go to make clear the sense of the words—that is, their associations with things. (Wigmore on Evidence, IV, p. 2470.)

I can not determine the importance of the documents requested by the committee, because I do not know what they are. I assume the Senate will share this predicament with me. These documents may become of great importance in the future; and with that possibility in view it must be evident that they are important now. Therefore I am of the opinion that the Senate is not in a position to consent to the treaty without having the subject matter before it for examination before it decides to grant its consent.

The Senate and the Executive being coordinate in treaty-making power, it necessarily follows that with its joint responsibility goes a joint ownership and custody of the documents involved.

On the question of making the documents public, it is my opinion that this may also involve a joint responsibility which I do not think is necessary to discuss now.

CONCLUSION

My committee vote of "nay" on the proposed treaty of naval armament limitation is based on grounds outlined in this report.

The material facts pertinent and relevant to the case, such as exchange of notes leading up to negotiation, letters, telegrams, diplomatic proceedings, and understandings touching the purpose and concrete commitments of the proposed treaty, are

not laid before the Senate, and a request therefor has been refused.

This admitted *suppressio veri*, or concealment of material facts from a contracting party, to wit, the Senate of the United States, appears in law and morals to vitiate the proposed contract. It reduces the document to a gesture on paper—a paper negotiated by advice and consent abroad in lieu of advice and consent of the Senate. Such a paper I am unable to sign on the dotted line.

I do not attempt to define the scope of the Secretary of State in having "confidences abroad." I respect the chivalry which can not "in honor" divulge the secrets of his relations with the "mistress of the seas."

On the other hand, I can not in honor betray the confidence of my people, my country, and its Constitution. I can not vote to ratify a proposed contract the material facts of which are not before the Senate—under the Constitution a contracting party.

In my judgment the great issue before us is not whether we shall be limited to build 8-inch cruisers or 6-inch cruisers, but whether or not the Constitution, as understood by those who framed it, shall be maintained as a living force and shall exist in works as in words—whether or not the Americanism of Washington and Monroe, of Jackson and Cleveland, of Lincoln and Grant shall abide from this day on, as it has for nearly five generations of the Republic.

It is interesting to note, when these treaties and understandings are entered into, that they are always given a label which will please the ears of taxpayers and the ears of all people who love peace.

Prior to the great World War there was a condition in Europe which is being repeated now. Various nations for various reasons were struggling for control of the economic and political power of Europe and of the Far East. They entered into various alliances. Germany, Austria, and Italy formed an alliance, and they told the world that they formed that alliance in order to be able to keep the peace of the world. Their people were told that they must gladly pay taxes to increase the armaments of the three countries in order that they should be able to guarantee the peace of the world.

Russia, England, and France formed an alliance called the Triple Entente, and they said that was an alliance in the interest of peace. They did the same thing as the governments of the central empire, making ready for war and calling it preparation for peace, and making poor, deluded humanity believe it was in the interest of peace.

The negotiators knew all the time they were getting ready for war. Monarchs were making secret agreements among themselves, and they had secret understandings which their subjects were not supposed to know of or understand. Whatever they did, they told their people they were doing it in the interest of peace, and when the time came, after the war was over, humanity learned that they had been planning war all the time.

It is interesting to note that after the World War men who had been guilty of conspiring to start the war were still conspiring to control the governments of the world, and they still conspire in the name of peace.

It was very evident at the London conference, which we were told was called to effect disarmament of the governments of the world, that nobody was interested in disarmament unless it was the delegation from the United States. We started out with the declaration that we would disarm, and that we would follow all the governments of the world in disarming, and that they could not go too far for us; but it was very apparent that they were more interested in finding out what we were going to do in the next war, and with whom we were going to play, than they were in the question of disarmament.

We set out to accomplish three purposes which we thought were desirable. One was disarmament, the second was parity with Great Britain, and the third was the limitation in the building of armaments.

It is very plain now that the conference did not accomplish any disarmament, which was our aim—at least, I think it was our aim—and I believe it was the intention of the United States earnestly and sincerely to achieve reduction in armament, to help not only the taxpayers of the United States but the taxpayers of the world. Instead of getting disarmament we entered into an agreement providing for an increased program in the building of armaments, a program of increased armament which, in my opinion, would never have been sanctioned by the taxpayers of Great Britain or of the United States if it had not had the halo of an agreement hanging over it.

It is said that we will, as a result, find it necessary to build up to the agreement in order to afford safety to our national interests and our commerce, and that it will cost a billion dol-

lars to do so. Parity is out of the picture, because in calculating parity naval and oil bases were not taken into consideration, nor were merchant vessels capable of mounting 6-inch guns taken into consideration. I do not find fault with our delegation, who in good faith tried to accomplish these things, but without taking all these things into consideration, parity is out of the picture.

We did get limitation of armaments, with a very serious reservation. It is true there was a limitation of armaments beyond which three powers agreed they would not go unless and except other powers continued building naval armaments to such an extent that either one of the three nations which had agreed to a limitation found itself jeopardized, and then they reserved the right to break the limitation and to follow the race for increased armaments, the pace of which would be set, it was said, by either Italy or France.

These two nations which threatened the only virtue I find in this treaty, that of limitation, and to which we are not bound except dependent upon the action of France and Italy, are now said to be the most prosperous nations in the world, and if that be true, they have it within their power to start a world-wide race for naval and military supremacy.

It was not so long ago that the Members of the American Congress stood successfully pleading with tears in their eyes for the poverty-stricken taxpayers of Italy and France, asking the Congress to compel the taxpayers of the United States to pay the debts owed by those governments to the Government of the United States. It seems to me that the American delegation at London failed to use an ace in the hole which they had in the reduction which the Congress of the United States made in the debts owed by France and Italy, two nations whose debts were reduced by us in charity and generosity due to the pleading of Members of the American Congress.

At that time I ventured to suggest that the cancellation of the debt and the exportation of capital might be used to restore the armaments and the standing armies and the large navies of Europe, but nobody paid any attention to it, because we were told that we must reduce the debts in the interest of peace; that we must buy the friendship of Europe by compelling the American taxpayers to pay the debts in the interest of peace.

Mr. President, it is not necessary to continue to show how these storm clouds of war which are given a silver lining of peace continue to darken the international horizon before every great conflagration. The most dangerous propaganda going on in this country to-day, in my opinion, comes from people, earnest and sincere, who say they are against war and are ready to vote for anything that is labeled "peace," and at the same time make this very naive confession: "Of course, when the next war comes, we will be compelled to enter." Where that idea comes from I do not know. It is a very subtle idea to prepare the people of the United States in advance in the belief, without any reason, that whatever the controversy in which the nations of the world may engage in the future the United States must give its moral leadership and enter the war in the interest of peace.

That has not been the tradition of the United States until within recent years. It has not been the policy of this country to meddle in affairs all over the world. It is said because of our world-wide trade it is necessary for us to enter into any war that may happen in any part of the globe. We have always had a great trade all over the world and our ships have been welcome in every port. We have minded our own business and we grew under that policy from a little strip of three or four million people along the Atlantic coast to a great country with a population of 120,000,000 and became the most powerful nation on the face of the earth without meddling in the affairs of the Old World.

While it may be true that we do not give any moral leadership to the world, it is now demanded, by people who say we have so much of it more than we need at home, that we ought to export it and meddle in other people's affairs and assess our taxpayers to pay for the armaments and the debts of other countries. It was not our policy during this period of more than 125 or 130 years to meddle with the affairs of the other governments and other peoples, and still we were considered a haven of refuge for oppressed people from all over the world, and the Stars and Stripes were welcome in every harbor. Our foreign trade did not suffer from that policy.

I suppose it is true of nations as it is true of individuals that we have acquired the habits and customs of those who are older than we are. It was never our policy to enter into agreements of all kinds and to sign documents of all kinds involving war and peace, involving questions, for instance, of maintaining the status quo or coming to the assistance of any nation who might get into some trouble with some other nation. After we started upon that policy we seemed to have some difficulty in breaking away from it and we seemed to be drifting

more and more into the habit of the governments of Europe in signing Locarno treaties, as we did when we entered the 4-power pact of the Pacific and as so many and so sincere people in the United States have been urging us to do in insisting upon us joining the League of Nations and submerging the sovereignty of the United States in a supergovernment of the world. We are told that that, too, is in the interest of peace.

What we seem to forget is that war makers always make war in the name of peace. The great menace to the world is that when statesmen and politicians and diplomats put the right label on their instruments of agreement and say it is in the name of peace, humanity swallows it as it has always been swallowed. They do not even change the language; they do not even change the terms.

Here is an instrument called an instrument of peace that puts the sanction of the great powers of the world upon a great program of armament building in the interest of peace. I have never thought that warships were the cause of war. They are only the instruments of those who make war. The causes of war are in the background. But this desire and agreement to build more naval armament is only a symptom of what is in the background. All Europe is talking of the next war, and people are beginning to talk about it here and how we must get into it. It has been the policy of wise statesmen of the United States to so conduct the affairs of the United States as to keep out of war wherever we can and not promise and sign a blank check in advance that we are to go into war.

As I said yesterday, I do not know how important these documents in controversy are. Whether they are important or unimportant makes very little difference. We are about to establish a precedent here of whether we shall reinstate the old tradition with which we broke when we formed the Government of the United States and said that no one man should represent the Government of the United States in dealing with foreign governments in questions of war and peace, that no one man should have complete control. I say that with all due respect, without any intention of casting the slightest reflection upon anyone who does not agree with me, that it was a wise policy when it was decided that the Members of the Senate, the representatives of the various States in the Union, should be represented through coordinate power of negotiation and ratification of treaties in order that the old tradition of sovereign monarchs making treaties with one another for which and under the terms of which their subjects could be called to war should not prevail in the United States. I do not say that in a spirit of criticism of what has taken place during the negotiation of this treaty.

However, if these documents are not important we would not only establish a precedent but I think it would have a beneficial effect upon the minds of peoples of other countries if the Senate should have the documents, even though we should decide to examine the documents in the confidence of a secret executive session. Other governments and other peoples could feel more comfortable than they can now, because long before this demand was made for the documents the rumor went out all over the world and the sentiment grew that we did have a secret understanding with Great Britain. Personally I never believed that we had, but a circumstantial case can be built up to substantiate that rumor.

Here we were, the most powerful nation in the world, asking for a world conference of governments to disarm. Without questioning anyone's motives, I will say that I think it was very unfortunate when Ramsay MacDonald, for whose honesty and ability I have the highest respect, came to the United States that there was not also invited to come at the same time some official representing the Government of France, some official representing the Government of Japan, and some official representing the Government of Italy.

We could have gotten away from the resentment that became inevitable. Whether we admit it or not, whether we believe it or not, the fact remains that other nations thought it was a very peculiar diplomatic maneuver to have the British Premier come here on a visit and sit on a log over on the Rapidan with our distinguished President, and have the two give a statement to the world that they had reached an agreement. Of course, France, a very proud nation, was asked to come in later; so was Japan, another proud nation; so was Italy, another proud nation. I think it was very unfortunate, because it placed us in a position of trying to get five people to agree, and then calling in only one of them, and later have the other three invited and told, "We two have agreed; come on in and agree with us."

Whatever we think and however we may differ—and I do not see how we can—as to the prerogatives and power and duty of the Senate as a part of the treaty-making power, in the interest of international good feeling, in the interest of international understanding, and in the interest of peace, I think the impres-

sion which has been created in the world that there may be some secret understanding can best be dispelled by the Senate receiving the documents and, having examined them, if it so desires, letting the world know just what they contain. The American people are entitled to know, other nations are entitled to know whether or not these documents do contain anything that we are withholding from other nations or from the American people.

I will say further, frankly, that I myself do not believe there is any ulterior motive nor do I believe that there is any intention to deceive; but that can best be proven if it is necessary to prove it—and I feel sure that as to some other nations of the world and as to many of the American people it is necessary to prove—by adopting the course I have indicated. It is not going to cost us anything, and we shall have established a precedent here of the Senate of the United States insisting upon its prerogatives and its demand that, in the future, as in the past, the Senate shall be recognized as a part of the treaty-making power, and as such entitled to all documents, all of the subject matter, in order that it may give advice and consent to a Chief Executive, as provided in the Constitution.

It is not a partisan question. Most questions confronting the Senate in recent years have not been partisan, and therefore we can discuss them not from the prejudiced, biased point of view of partisanship but as representatives of the various States, receiving our power and authority from the Constitution, which prescribes our duties and our activities and at the same time circumscribes them. The sole power we have we get from the Constitution, which we are all sworn to support when we come here. We are not required to support or defend any party, but we are sworn to support and defend the Constitution. The President of the United States takes an oath to support the same instrument, and while at times there may be disagreement amongst Members of both Houses and between the two Houses and the Executive, I have never subscribed to the idea that because we sometimes differ with the President or the President differs with us that he does so from a lack of good faith, or that other Senators who disagree with me do so from a lack of faith.

Here in this Chamber center all the conflicting forces of 120,000,000 people, and so long as there is difference of opinion among 120,000,000 people there necessarily must be difference of opinion here; but we are not governed in all respects by the opinion of the people; we are governed under the light of the Constitution, prescribing what we may do and what our duties are; and certainly the Constitution is plain on the question of the treaty-making power and the duties of the Senate and of the Executive.

Mr. President, a very distinguished American citizen, at one time a distinguished Senator from the State of Massachusetts, and for many years chairman of the Foreign Relations Committee of the Senate, a colleague of many Senators now here, a learned and scholarly student of the American Constitution and of the duties of the Senate, who had given a great deal of time to the study of the duties of the Senate in connection with the making of treaties, wrote an article entitled "The Treaty-Making Powers of the Senate," which appeared in Scribner's Magazine for January, 1902. In order to save time, I ask that the article referred to, by Henry Cabot Lodge, former Senator from Massachusetts, may be printed in the RECORD following my remarks. I commend that article to Senators because of its very thorough discussion of this subject.

The PRESIDING OFFICER (Mr. WALCOTT in the chair). If there be no objection, the request of the Senator from Minnesota will be granted.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TREATY-MAKING POWERS OF THE SENATE

By Henry Cabot Lodge, Senator from Massachusetts

The action of the Senate upon the Hay-Pauncefote treaty last December gave rise to much discussion not only in regard to the merits of the treaty and of the Senate amendments but also as to the rights and functions of the Senate as part of the treaty-making power. That there should be differences of opinion as to the merits of the questions involved in the treaty is entirely natural, but it seems strange that there should be any misapprehension as to the functions and powers of the Senate, because those are not matters of opinion but well-established facts, simple in themselves and clearly defined both by law and precedent. Yet such misapprehension not only existed but was manifested here and there in the United States by statements and arguments as confident as they were erroneous. The English newspapers as a rule, of course, did not know anything about the powers of the Senate, but seemed to have a general belief that the Senate amendments were in some way a gross breach of faith, a view not susceptible of explanation but very soothing to those who held it, and quite characteristic. It is,

however, a much more serious matter when misapprehension of this kind is found among those who are charged with the conduct of government. It is their duty and their business to understand thoroughly the institutions, constitutional provisions, and political methods of other countries with which they are obliged to have dealings and to maintain relations. We have a right to expect that Lord Lansdowne, a statesman of long experience, who has held some of the highest offices under the British Crown, who has just been advanced from the great post of Secretary of War to the still greater one of Secretary of State for Foreign Affairs, should understand thoroughly the constitutional provisions and modes of governmental procedure in the United States. Yet we find in Lord Lansdowne's note to Lord Pauncefoot of February 22, 1901, in reference to the Senate amendments, the following statement:

"The Clayton-Bulwer treaty is an international contract of unquestioned validity; a contract, which, according to well-established international usage, ought not to be abrogated or modified save with the consent of both the parties to the contract. His Majesty's Government find themselves confronted with a proposal communicated to them by the United States Government, without any previous attempt to ascertain their views, for the abrogation of the Clayton-Bulwer treaty."

The meaning of this passage, taken as a whole, is not very clear, and in the last clause it contains at least one singular proposition. Admitting the international usage to be as Lord Lansdowne states it, the Hay-Pauncefoot negotiation conformed to it strictly. The sole purpose of the Hay-Pauncefoot treaty was to modify, by amicable agreement, the Clayton-Bulwer treaty. So far as the Hay-Pauncefoot treaty went it modified the Clayton-Bulwer treaty, and to that extent superseded it. How far it superseded it was a disputed point. It was strongly argued here that the Hay-Pauncefoot treaty ex necessitate superseded entirely the Clayton-Bulwer treaty, and those Senators who advocated the insertion of the words "which is hereby superseded" were generally held to be overcautious. It was in fact this division of opinion as to the extent to which the Clayton-Bulwer treaty had been superseded which led to the adoption of the first Senate amendment. It would now appear from Lord Lansdowne's note that those who desired a specific statement of the supersession of the Clayton-Bulwer treaty were right in their construction, that the supersession was not complete as the Hay-Pauncefoot treaty originally stood.

The point, however, to which I wish to draw attention here is quite different from the question of the supersession of the Clayton-Bulwer treaty in whole or in part, and is contained in the last sentence of the passage I have quoted. Lord Lansdowne there complains that his government is confronted by a proposal from the United States without any previous attempt to ascertain their views. Here is where his misapprehension of our Constitution appears. If Mr. Hay had proposed to Lord Pauncefoot at any stage of their discussion to insert clauses like the Senate amendments, the proposal might have been accepted or rejected, but no complaint would or could have been made that His Majesty's Government was confronted by a proposal upon which their views had not been previously ascertained. Such propositions, coming from Mr. Hay, would have been entirely germane to the purpose of the negotiation, even if they had extended to a simple abrogation of the Clayton-Bulwer treaty, and would have been so recognized. What actually happened was that these propositions were offered at a later stage of the negotiation by the other part of the American treaty-making power in the only manner in which they could then be offered, and are therefore no more a subject of just complaint on account of the manner of their presentation than if they had been put forward at an earlier stage by Mr. Hay. If we follow the negotiation through its different phases, what has just been stated becomes apparent. Mr. Hay and Lord Pauncefoot open a negotiation for the modification of the Clayton-Bulwer treaty in such manner as to remove the obstacles which it may present to the construction of the Central American Canal by the United States. After due discussion they agree upon and sign a treaty. That agreement, so far as Great Britain is concerned, requires only the approval of the King for its completion, but with the United States the case is very different, because no treaty can be ratified by the President of the United States without the consent of the Senate.

The treaty, so called, is therefore still inchoate, a mere project for a treaty, until the consent of the Senate has been given to it. That all treaties must be submitted to the Senate and obtain the Senate's approval before they can be ratified and become binding upon the United States was, we may assume, well known to Lord Lansdowne. But he does not seem to have realized that the Senate could properly continue the negotiation begun by Mr. Hay and Lord Pauncefoot by offering new or modified propositions to His Majesty's Government. Of this he was clearly not informed or he would not have made the complaint about being confronted with new propositions as if something unusual and unfair had been done. No one expects the "man in the street" or the London editor to remember that so long ago as 1795 the Senate made an entirely new amendment to the Jay treaty, and that England accepted it, or that so recently as March, 1900, the Senate made amendments to the treaty regulating the tenure and disposition of the property of aliens, and that England accepted them, or that it has been the uniform practice of the Senate to amend treaties whenever it

seemed their duty to do so. But a British Secretary of State for Foreign Affairs is, of course, familiar with all these things and ought, therefore, to realize that the Senate can only present its views to a foreign government by formulating them in the shape of amendments, which the foreign government may reject or accept, or meet with counterpropositions, but of which it has no more right to complain than it has to complain of the offer of any germane proposition at any other stage of the negotiation.

With misapprehension like this existing not only in the British Foreign Office and the London press, but also in the minds of one or two exceptionally "able" editors and correspondents in this country, who spoke of the Senate's action in amending the Hay-Pauncefoot treaty as a modern usurpation, it seems not amiss to explain briefly the nature and history of the treaty-making power in the United States. The explanation is easy. It rests, indeed, on constitutional provisions so simple and on precedents so notorious that one feels inclined to begin with an apology for stating anything at once so familiar and so rudimentary. Yet it would appear that the circumstances just set forth fully justify both the explanation of the law and the statement of the facts of history.

The power to make treaties is at once a badge and an inherent right of every sovereign and independent nation. The thirteen American Colonies of Great Britain, as part of the British Empire and as dependencies of the British Crown, were not sovereign nations and did not possess the treaty-making power. That power was vested in the British Crown, and when exercised the colonies were bound by the action and agreements of the British Government. When the thirteen Colonies jointly and severally threw off their allegiance to the British Crown and became independent, all the usual rights of sovereignty which they had not before possessed, vested, without restriction, in each one of the thirteen States. The treaty-making power was exercised accordingly by the Continental Congress which represented all the States and where the vote was taken by States. Under the subsequent Articles of Confederation the treaty-making power could not be exercised by any State alone or by two or more States without the consent of the United States in Congress and was vested in the Congress of the Confederation, where, as in the Continental Congress, each State had one vote and where the assent of nine States was required to ratify a treaty. From this it will be observed that this sovereign right which had vested absolutely in each State, although it was confided to the Congress of the United States, was kept wholly within the control of the States as such, and was never permitted to become an executive function. This was the practice and this the precedent which the convention found before them when they met in Philadelphia in 1787 to frame a new constitution, and they showed no disposition to depart from either.

The States were very jealous of their sovereign rights, among which the power to make treaties was one of the most important, and having so recently emerged from a colonial condition they were also very suspicious and very much afraid of dangerous foreign influences, especially in the making of treaties. At the outset, therefore, it seems to have been the universal opinion that the relations of the United States with other nations should be exclusively managed and controlled by the representatives of the States as such in the Senate. The strength and prevalence of this feeling are best shown by the various plans for a constitution presented to the convention. The Virginia plan, so called, was embodied in resolutions offered by Mr. Randolph, which proposed to enlarge and amend the Articles of Confederation and passed over without mention the treaty-making power, accepting apparently the existing system which vested it in the States voting as such through their representatives. The plan offered by Mr. Pinckney provided that—

"The Senate shall have the sole and exclusive power to declare war and to make treaties and to appoint ambassadors and other ministers to foreign nations and judges of the Supreme Court."

The New Jersey plan offered by Mr. Patterson, which aimed only at a mild amendment of the Articles of Confederation, left the treaty-making power, as under the confederation, wholly within the control of the States voting as such in Congress.

Hamilton, who went to the other extreme from the New Jersey plan, gave the treaty-making power in his scheme to the President and the Senate, but conferred on the Senate alone the power to declare war.

All these plans, as well as the general resolutions agreed upon after weeks of debate, went to a committee of detail, which on August 6 reported through Mr. Rutledge the first draft of the Constitution.

Section 1 of article 9 of this first draught provided that: "The Senate of the United States shall have power to make treaties and to appoint ambassadors and judges of the Supreme Court."

The manner in which this clause as reported by the committee of detail was modified is best described by Mr. George Ticknor Curtis in his *Constitutional History of the United States* (Vol. I, pp. 579-581. Last edition).

"The power to make treaties, which had been given to the Senate by the committee of detail, and which was afterwards transferred to the President, to be exercised with the advice and consent of two-thirds of the Senators present, was thus modified on account of the changes which

the plan of government had undergone, and which have been previously explained. The power to declare war having been vested in the whole legislature, it was necessary to provide the mode in which a war was to be terminated. As the President was to be the organ of communication with other governments, and as he would be the general guardian of the national interests, the negotiation of a treaty of peace, and of all other treaties, was necessarily confided to him. But as treaties would not only involve the general interests of the Nation but might touch the particular interests of individual States, and, whatever their effect, were to be part of the supreme law of the land, it was necessary to give to the Senators, as the direct representatives of the States, a concurrent authority with the President over the relations to be affected by them. The rule of ratification suggested by the committee to whom this subject was last confided was that a treaty might be sanctioned by two-thirds of the Senators present, but not by a smaller number. A question was made, however, and much considered, whether treaties of peace ought not to be subjected to a different rule. One suggestion was, that the Senate ought to have power to make treaties of peace without the concurrence of the President, on account of his possible interest in the continuance of a war from which he might derive power and importance. But an objection, strenuously urged, was that if the power to make a treaty of peace were confided to the Senate alone, and a majority or two-thirds of the whole Senate were to be required to make such a treaty, the difficulty of obtaining peace would be so great that the legislature would be unwilling to make war on account of the fisheries, the navigation of the Mississippi, and other important objects of the Union. On the other hand, it was said that a majority of the States might be a minority of the people of the United States, and that the representatives of a minority of the Nation ought not to have power to decide the conditions of peace.

"The result of these various objections was a determination on the part of a large majority of the States not to make treaties of peace an exception to the rule, but to provide a uniform rule for the ratification of all treaties. The rule of the Confederation, which had required the assent of nine States in Congress to every treaty or alliance, had been found to work great inconvenience; as any rule must do which should give to a minority of States power to control the foreign relations of the country. The rule established by the Constitution, while it gives to every State an opportunity to be present and to vote, requires no positive quorum of the Senate for the ratification of a treaty; it simply demands that the treaty shall receive the assent of two-thirds of all the members who may be present. The theory of the Constitution undoubtedly is that the President represents the people of the United States generally, and the Senators represent their respective States, so that, by the concurrence which the rule thus requires, the necessity for a fixed quorum of the States is avoided, and the operations of this function of the Government are greatly facilitated and simplified. The adoption, also, of that part of the rule which provides that the Senate may either 'advise or consent' enables that body so far to initiate a treaty as to propose one for the consideration of the President—although such is not the general practice."

The obvious fact that the President must be the representative of the country in all dealings with foreign nations and that the Senate in its very nature could not, like the Chief Executive, initiate and conduct negotiations, compelled the convention to confer upon him an equal share in the power to make treaties. This was an immense concession by the States, and they had no idea of giving up their ultimate control to a President elected by the people generally. Here, therefore, is the reason for the provision of the Constitution which makes the consent of the Senate by a two-thirds majority necessary to the ratification of any treaty projected or prepared by the President. The required assent of the Senate is the reservation to the States of an equal share in the sovereign power of making treaties which before the adoption of the Constitution was theirs without limit or restriction.

The treaty clause, as finally agreed to by the convention and ratified by the States, is as follows: "He [the President] shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur, and he shall nominate and by and with the advice and consent of the Senate shall appoint ambassadors," etc.

I have quoted the provision in regard to appointments in order to define more fully the previous one relating to treaties. The use of the words "advise and consent" in both provisions has given rise to misapprehension in some minds, and even in one instance at least to the astounding proposition that because the Senate can not amend a nomination by striking out the name sent in by the President and inserting another, it therefore, by analogy, can not amend a treaty. It is for this reason well to note that the carefully phrased section gives the President absolute and unrestricted right to nominate, and the Senate can only advise and consent to the appointment of a given person. All right to interfere in the remotest degree with the power of nomination and the consequent power of selection is wholly taken from the Senate. Very different is the wording in the treaty clause. There the words "by and with the advice and consent of" come in after the words "shall have power," and before the power referred to is defined. The "advise and consent of the Senate" are, therefore, coextensive with the "power" conferred on the President, which is "to make treaties,"

and apply to the entire process of treaty making. The States in the convention of 1787 agreed to share the treaty power with the President created by the Constitution, but they never thought of resigning it, or of retaining anything less than they gave.

The Senate being primarily a legislative body can not in the nature of things initiate a negotiation with another nation, for they have no authority to appoint or to receive ambassadors or ministers. But in every other respect under the language of the Constitution, and in the intent of the framers, they stand on a perfect equality with the President in the making of treaties. They have an undoubted right to recommend either that a negotiation be entered upon, or that it be not undertaken, and I shall show presently that this right has been exercised and recognized in both directions. As a matter of course, the President would not be bound by a resolution declaring against opening a negotiation, but such a resolution passed by a two-thirds vote would probably be effective and would serve to stop any proposed negotiation, as we shall see was the case under President Lincoln. In the same way the Senate has the right to advise the President to enter upon a negotiation, and has exercised this right more than once. Here, again, the President is not bound to comply with the resolution, for his power is equal and coordinate with that of the Senate, but such action on the part of the Senate, no doubt, would always have due weight. That this right to advise or to disapprove the opening of negotiations has been very rarely exercised is unquestionably true in practice, and the practice is both sound and wise, but the right remains none the less, just as the Constitution gave it, not impaired in any way by the fact that it has been but little used.

The right of the Senate to share in treaty making at any stage has always been fully recognized, both by the Senate and the Executive, not only at the beginning of the Government, when the President and many Senators were drawn from among the framers of the Constitution and were, therefore, familiar with their intentions, but at all periods since. A brief review of some of the messages of the Presidents, and of certain resolutions of the Senate, will show better than any description the relations between the two branches of the treaty-making power in the United States, the uniform interpretation of the Constitution in this respect, and the precedents which have been established.

On August 21, 1789, President Washington notified the Senate that he would meet with them on the following day to advise with them as to the terms of a treaty to be negotiated with the southern Indians. On August 22, in accordance with this notice, the President came into the Senate Chamber, attended by General Knox, and laid before the Senate a statement of facts, together with certain questions, in regard to our relations to the Indians of the southern district, upon which he asked the advice of the Senate. On August 24, 1789, he appeared again in the Senate Chamber with General Knox, and the discussion of our relations with the southern Indians was resumed. The Senate finally voted on the questions put to it by the President, and in that way gave him their advice.

On August 11, 1790, President Washington, in a written message, asked whether it was the judgment of the Senate that overtures should be made to the Cherokees to arrange a new boundary; if so, what compensation should be made, and whether the United States should stipulate solemnly to guarantee the new boundary. The Senate, by resolution, replied to these inquiries in the affirmative.

On January 19, 1791, President Washington laid before the Senate the representation of the chargé des affaires of France in regard to certain acts of Congress imposing extra tonnage on foreign vessels, and asked the advice of the Senate as to the answer he should make. On February 26, 1791, the Senate, by resolution, replied to this message, stating their opinion as to the meaning of the fifth article of the treaty in relation to the acts of Congress which had been called in question, and advising that an answer be given to the chargé des affaires of France defending the construction put upon the treaty by the Senate.

On February 14, 1791, a message was sent in which illustrates, in a very interesting way, how close the relations were between the Senate and the President in all matters relating to treaties, and how completely Washington recognized the right of the Senate to advise with him in regard to every matter connected with our foreign relations. In this message he explained his sending Gouverneur Morris in an unofficial character to England in order to learn whether it were possible to open negotiations for a treaty, and with the message he sent various letters, so that the Senate might be fully informed as to all this business, which was, in its nature, entirely secret and unofficial.

On November 10, 1791, the Senate ratified the treaty made by Governor Blount with the Cherokee Indians, and the report of the committee begins in this way: "That they have examined the said treaty and find it strictly conformable to the instructions given by the President; that these instructions were founded on the advice and consent of the Senate on the 11th of August, 1790," etc.

It is not necessary to multiply instances under our first President. These cases which have been quoted show how Washington interpreted the Constitution which he had so largely helped to frame. It is clear that in his opinion, and in that of the Senate, which does not appear to have been controverted by anybody, the powers of the Senate were exactly equal to those of the President in the making of treaties, and that they were entitled to share with him at all stages of a negotiation.

On April 16, 1794, Washington consulted the Senate on a much more important matter than any of those to which I have referred. On that day he sent in the name of John Jay to be an envoy extraordinary to England, in addition to the minister already there. He gives in the message his reasons for doing this and in that way caused the Senate to pass not only upon the appointment of Mr. Jay, but also upon the policy which that appointment involved.

On May 31, 1797, President Adams, in nominating his special commission to France, followed the example of Washington when he nominated Jay, and explained his reasons for the appointment of this commission, in that way taking the advice of the Senate as to opening the negotiations at all.

On December 6, 1797, President Adams, in submitting an Indian deed, which was the form taken by the treaty, suggested that it be conditionally ratified; that is, that the Senate should provide that the treaty should not become binding until the President was satisfied as to the investment of the money, and the resolution was put in that form. This is interesting, because it is the first case where the President himself suggests an amendment to be made by the Senate.

On March 6, 1798, in ratifying the treaty with Tunis, where the Senate had made an amendment, they recommended that the President enter into friendly negotiations with the government of Tunis in regard to the disputed article.

February 6, 1797, President Adams nominated Rufus King minister to Russia and stated that it was done for the purpose of making a treaty of amity and commerce with that country.

When President Adams reopened negotiations with France, an action which signalized the fatal breach in the Federalist Party, he sent in the name of William Vans Murray to be minister to France, explained that it was to renew the negotiation, and stated further what instructions he should give if Murray was confirmed by the Senate. So much opposition was aroused by this step that in order to secure the assent of the Senate to his policy Mr. Adams sent in the names of Chief Justice Ellsworth and Patrick Henry to be joined with Murray in the commission and stated more explicitly the conditions on which alone he would allow them to embark.

President Jefferson, on January 11, 1803, sent in a message nominating Livingston and Monroe to negotiate with France, and Charles Pinckney and Monroe to negotiate with Spain, in regard to Louisiana, setting forth fully his reasons for opening negotiations on this subject, so that the Senate, in advising and consenting to the appointments, assented also to the policy which they involved.

President Madison, on May 29, 1813, sent in a nomination for a minister to Sweden, to open diplomatic relations with that country. The Senate, on June 14, appointed a committee to confer with the President upon the subject. Madison declined the conference on the ground that a committee could not confer directly with the Executive, but only through a department. His statement of the relations of the President and Senate in his message of July 6, 1813, is interesting as showing how he, one of the principal framers of the Constitution, construed it in this respect:

"Without entering into a general review of the relations in which the Constitution has placed the several departments of the Government to each other, it will suffice to remark that the Executive and Senate, in the cases of appointments to office and of treaties, are to be considered as independent of and coordinate with each other. If they agree, the appointments or treaties are made; if the Senate disagree, they fail. If the Senate wish information previous to their final decision, the practice, keeping in view the constitutional relations of the Senate and the Executive, has been either to request the Executive to furnish it, or to refer the subject to a committee of their body to communicate, either formally or informally, with the head of the proper department. The appointment of a committee of the Senate to confer immediately with the Executive himself appears to lose sight of the coordinate relation between the Executive and the Senate which the Constitution has established and which ought therefore to be maintained."

On April 6, 1818, President Monroe laid before the Senate correspondence with Great Britain making an arrangement as to naval armaments on the Great Lakes. He asked the Senate to decide whether this was a matter which the Executive was competent to settle alone, and if they thought not, then he asked for their advice and consent to making the agreement.

President Jackson, on March 6, 1829, asked the consent of the Senate to make with the chargé d'affaires of Prussia an exchange of ratifications of the treaty with that country, the time for the exchange having passed before the Prussian ratification was received. The request was repeated on January 28, 1831, under similar circumstances in regard to the Austrian treaty. (This became the universal practice in cases where the time for exchanging ratifications had expired by accident, or otherwise, before the exchange had been effected. It is not necessary to cite other instances.)

May 6, 1830, President Jackson, in a message relating to a treaty proposed by the Choctaw Indians, asked the Senate to share in the negotiations in the following words: "Will the Senate advise the conclusion of a treaty with the Choctaw Nation according to the terms

which they propose? Or, will the Senate advise the conclusion of a treaty with that tribe as modified by the alterations suggested by me? If not, what further alteration or modification will the Senate propose?" President Jackson then goes on to give his reasons for thus consulting the Senate. The passage is of great interest because it not only states the change of practice which had taken place since Washington's time in regard to consulting the Senate before or during a negotiation but recognizes fully that although reasons of convenience and expediency had led to the abandonment of consultation with the Senate prior to a negotiation, yet it was an undoubted constitutional right of the President to so consult the Senate, and of the Senate to take part, if it saw fit, at any stage of a negotiation. President Jackson says:

"I am fully aware that in thus resorting to the early practice of the Government, by asking the previous advice of the Senate in the discharge of this portion of my duties, I am departing from a long, and for many years unbroken, usage in similar cases. But being satisfied that this resort is consistent with the provisions of the Constitution, that it is strongly recommended in this instance by considerations of expediency, and that the reasons which have led to the observance of a different practice, though very cogent in negotiation with foreign nations, do not apply with equal force to those made with Indian tribes, I flatter myself that it will not meet the disapprobation of the Senate."

Under President John Quincy Adams a convention had been made with Great Britain referring to the decision of the King of the Netherlands the points of difference between the two nations as to our north-eastern boundary line. On January 10, 1831, the King of the Netherlands rendered his decision, against which our minister at The Hague protested. On December 7, 1831, President Jackson submitted the decision and protest to the Senate, asking whether they would advise submission to the opinion of the arbiter and consent to its execution. The President took occasion to say in this connection: "I had always determined, whatever might have been the result of the examination by the sovereign arbiter, to have submitted the same to the Senate for their advice before I executed or rejected it."

On March 3, 1835, the Senate passed the following resolution:

"Resolved, That the President of the United States be respectfully requested to consider the expediency of opening negotiations with the governments of other nations, and particularly of the governments of Central America and New Grenada, for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as may undertake to open a communication between the Atlantic and Pacific Oceans by the construction of a ship canal across the isthmus which connects North and South America, and of securing forever, by such stipulations, the free and equal right of navigating such canal to all such nations, on the payment of such reasonable tolls as may be established to compensate the capitalists who may engage in such undertaking and complete the work."

On January 9, 1837, President Jackson replied to this resolution, stating that in accordance with its terms an agent had been sent to Central America, but that from his report it was apparent that the conditions were not such as to warrant entering upon negotiations for treaties relating to a ship canal.

President Van Buren, on June 7, 1838, sent in a message announcing that he intended to authorize our chargé d'affaires to Peru to go to Ecuador, and as agent of the United States, negotiate a treaty with that republic. Before doing so, however, he thought it proper, in strict observance of the rights of the Senate, to ask their opinion as to the exercise of such a power by the Executive in opening negotiations and diplomatic relations with a foreign state.

President Polk, on June 10, 1846, sent to the Senate a proposal in the form of a convention in regard to the Oregon boundary submitted by the British minister, together with a protocol of the proceedings, and on this he asked the advice of the Senate as to what action should be taken. The message then continues as follows:

"In the early periods of the Government the opinion and advice of the Senate were often taken in advance upon important questions of our foreign policy. General Washington repeatedly consulted the Senate and asked their previous advice upon pending negotiations with foreign powers, and the Senate in every instance responded to his call by giving their advice, to which he always conformed his action. This practice, though rarely resorted to in later times, was, in my judgment, eminently wise, and may on occasions of great importance be properly revived. The Senate are a branch of the treaty-making power, and by consulting them in advance of his own action upon important measures of foreign policy which may ultimately come before them for their consideration the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance upon any great question which may involve in its decision the issue of peace or war."

On August 4, 1846, President Polk, by message, consulted the Senate as to entering on peace negotiations with Mexico and advancing to that country a portion of the money to be paid as consideration for the cession of territory.

On July 28, 1848, President Polk sent to the Senate a message explaining his refusal to ratify an extradition treaty with Prussia, to

which the Senate had agreed. When the treaty was sent to the Senate, on December 16, 1845, the President stated his objections to the third article. The Senate ratified the treaty with the third article unamended, and thereupon and because the Senate had not amended or stricken out the third article the President refused to ratify the treaty himself.

On April 22, 1850, President Taylor invited the Senate to amend either the Clayton-Bulwer treaty or that with Nicaragua so that they might conform with each other.

On February 13, 1852, President Fillmore pointed out certain objectionable clauses in the Swiss treaty and asked the Senate to amend them.

On June 26, 1852, President Fillmore sent a letter from Mr. Webster calling attention to the nonaction of the Senate upon an extradition treaty with Mexico and asked that, if it was thought objectionable in any particular, amendments might be made to remove the objections, such amendments to be proposed by the Executive to the Mexican Government.

On February 10, 1854, President Pierce sent to the Senate the Gadsden treaty, signed by the plenipotentiaries on December 30, 1853, and with it certain amendments which he recommended to the Senate for adoption before ratification. It would be difficult to find a better example than this, not merely of the right of the Senate to amend but of the fact that Senate amendments are simply a continuance of the negotiations begun by the President.

President Buchanan, on February 12, 1861, asked the advice of the Senate as to accepting the award made by commissioners under the convention with Paraguay, following therein the precedent set by President Jackson.

On February 21, 1861, President Buchanan asked the advice of the Senate as to entering into a negotiation with Great Britain for a treaty of arbitration in regard to a controverted point in the Ashburton-Webster treaty of 1846. His own words are: "The precise questions I submit are three: Will the Senate approve a treaty," etc.

On March 16, 1861, President Lincoln, in his first message to the Senate, repeated the questions of his predecessor as to entering upon this negotiation for an arbitration with Great Britain and said, "I find no reason to disapprove the course of my predecessor on this important matter; but, on the contrary, I not only shall receive the advice of the Senate therein cheerfully, but I respectfully ask the Senate for their advice on the three questions before recited."

On December 17, 1861, President Lincoln sent to the Senate a draft of a convention proposed by the Mexican Government and asked, not for ratification, but merely for their advice upon it.

On January 24, 1862, he asked again for advice as to entering upon the treaty for a loan to Mexico so that he might instruct Mr. Corwin in accordance with the views of the Senate.

On February 25, 1862, the Senate passed a resolution to the effect "that it is not advisable to negotiate a treaty that will require the United States to assume any portion of the principal or interest of the debt of Mexico or that will require the concurrence of European powers." Meantime Mr. Corwin, not having received instructions, had made and signed two treaties for the loan, and President Lincoln, on sending them in on June 23, 1862, said in his message: "The action of the Senate is, of course, conclusive against acceptance of the treaties on my part," but the importance of the subject was such that he asked for the further advice of the Senate upon it.

March 5, 1862, President Lincoln sent a message repeating President Buchanan's request for the advice of the Senate as to accepting the Paraguayan award.

February 5, 1863, President Lincoln sent in for ratification a convention with Peru and suggested an amendment which he wished to have made by the Senate.

January 15, 1869, President Johnson sent in a protocol agreed upon with Great Britain and asked the advice of the Senate as to entering upon a negotiation for a convention based upon the protocol submitted.

April 5, 1871, President Grant transmitted a dispatch from our minister to the Hawaiian Islands and asked for the views of the Senate as to the policy to be pursued.

May 13, 1872, President Grant sent a message to the Senate relating to differences which had arisen under the treaty of Washington and said:

"I respectfully invite the attention of the Senate to the proposed article submitted by the British Government with the object of removing the differences which seem to threaten the prosecution of the arbitration, and request an expression by the Senate of their disposition in regard to advising and consenting to the formal adoption of an article such as is proposed by the British Government.

"The Senate is aware that the consultation with that body in advance of entering into agreements with foreign states has many precedents. In the early days of the Republic, General Washington repeatedly asked their advice upon pending questions with such powers. The most important recent precedent is that of the Oregon boundary treaty in 1846.

"The importance of the results hanging upon the present state of the treaty with Great Britain leads me to follow these former precedents

and to desire the counsel of the Senate in advance of agreeing to the proposal of Great Britain."

June 18, 1874, President Grant sent in a draft of a reciprocity treaty relating to Canada, and asked the Senate if they would concur in such a treaty if negotiated.

President Arthur, on June 9, 1884, asked the advice of the Senate as to directing negotiations to proceed with the King of Hawaii for the extension of the existing reciprocity treaty with the Hawaiian Islands.

On March 3, 1888, the Senate passed a resolution asking President Cleveland to open negotiations with China for the regulation of immigration with that country. President Cleveland replied that such negotiations had been undertaken.

From these various examples it will be seen that the Senate has been consulted at all stages of negotiations by Presidents of all parties, from Washington to Arthur. It will also be observed that the right to recommend a negotiation by resolution was exercised in 1835 and again in 1888, and was unquestioned by either Jackson or Cleveland, who were probably more unfriendly to the Senate and more unlikely to accede to any extension of Senate prerogatives than any Presidents we have ever had. It will be further noted that the Senate in 1862 advised against the Mexican negotiation, and that President Lincoln frankly accepted their decision and did not even ask that the treaties which had been actually made meantime should be considered with a view to ratification.

The power of the Senate to amend or to ratify conditionally is of course included in the larger powers expressly granted by the Constitution to reject or confirm. It would have never occurred to me that anyone who had read the Constitution and who possessed even the most superficial acquaintance with the history of the United States could doubt the right of the Senate to amend. But within the last year I have seen this question raised, not jokingly, so far as one could see, but quite seriously. It may be well, therefore, to point out very briefly the law and the facts as to the power of the Senate to amend or alter treaties.

In 1795 the Senate amended the Jay treaty, ratifying it on condition that the twelfth article should be suspended. Washington accepted their action without a word of comment as if it were a matter of course, and John Marshall, in his *Life of Washington*, has treated the Senate's action on that memorable occasion in the same way. From that day to this, from the Jay treaty in 1795 to the alien-property treaty with Great Britain in 1900, the Senate has amended treaties, and foreign governments, recognizing our system and the propriety of the Senate's action, have accepted the amendments. A glance at the passages which have been cited from the messages of the Presidents is enough to disclose the fact that no President has ever questioned the right of the Senate to amend, and that several Presidents have invited the Senate to make amendments as to the best method of continuing the negotiations.

In this case, however, we are not left to deduce the obvious right of the Senate to amend from an unbroken line of precedents and the unquestioned recognition of the right by the Chief Executive. On this point we have a direct and unanimous declaration by the Supreme Court of the United States. In *Haver against Yaker*, Mr. Justice Davis, delivering the opinion of the court, said: "In this country a treaty is something more than a contract, for the Federal Constitution declares it to be the law of the land. If so, before it can become a law, the Senate, in whom rests the authority to ratify it, must agree to it. But the Senate are not required to adopt or reject it as a whole, but may modify or amend it, as was done with the treaty under consideration." (9 Wallace, pp. 34 and 35.) This decision of the court is conclusive if any doubt had ever existed as to the amendment powers of the Senate, but the following list of treaties, amended by the Senate and afterward ratified by the countries with which they were made, exhibits the uniform and unquestioned practice which has prevailed since the foundation of our Government.

Algiers, 1795; Argentina, 1885 (amity and commerce), 1897 (extradition); Austria, 1856; Baden, 1857; Bavaria, 1845, 1853; Belgium, 1858, 1880 (consular); Bolivia, 1859, 1900 (extradition); Brunswick and Lunenburg, 1854; Chile, 1900 (extradition); China, 1868, 1887 (exclusion); Colombia, 1857; New Grenada, 1888 (extradition); Congo, 1891 (relations); Costa Rica, 1852, 1861; France, 1778, 1843, 1858, 1886 (claims), 1892 (extradition); Great Britain, 1794, 1815, 1889 (extradition), 1891 (Bering Sea), 1896 (Bering claims), 1899 (real property); Guatemala, 1870 (amity and commerce); Hawaii, 1875 (reciprocity), 1886 (reciprocity); Italy, 1868; Japan, 1886 (extradition), 1894 (extradition), 1894 (commerce and navigation); Mexico, 1843, 1848, 1853, 1861, 1868, 1883 (reciprocity), 1885 (reciprocity), 1886 (boundary), 1888 (frontier), 1890 (boundary); Netherlands, 1887 (extradition); Nicaragua, 1859, 1870 (amity and commerce); Orange Free State, 1890 (extradition); Peru, 1863, 1887 (commerce and navigation), 1899 (extradition); Russia, 1880 (extradition); Saxony, 1845; Siam, 1856; Sweden, 1816, 1869 (naturalization); Switzerland, 1847, 1850, 1900 (extradition); Tunisia, 1797; Turkey, 1830, 1874 (extradition); Two Shillies, 1855; Venezuela, 1886 (claims).

From this list it appears that there have been 68 treaties amended by the Senate and afterwards ratified.

The results of the preceding inquiry can be easily summarized. Practice and precedent, the action of the Senate and of the Presidents and the decision of the Supreme Court show that the power of the Senate in the making of treaties has always been held, as the Constitution intended, to be equal to and coordinate with that of the President, except in the initiation of a negotiation which can of necessity only be undertaken by the President alone. The Senate has the right to recommend entering upon a negotiation or the reverse, but this right it has wisely refrained from exercising, except upon rare occasions. The Senate has the right to amend, and this right it has always exercised largely and freely. It is also clear that any action taken by the Senate is a part of the negotiation, just as much so as the action of the President through the Secretary of State. In other words, the action of the Senate upon a treaty is not merely to give sanction to the treaty but is an integral part of the treaty making, and may be taken at any stage of a negotiation.

It has been frequently said of late that the Senate in the matter of treaties has been extending its powers and usurping rights which do not properly belong to it. That the power of the Senate has grown during the past century is beyond doubt, but it has not grown at all in the matter of treaties. On the contrary, the Senate now habitually leaves in abeyance rights as to treaty making which at the beginning of the Government it freely exercised, and it has shown in this great department of executive government both wisdom and moderation in the assertion of its constitutional powers.

This is not the place to discuss the abstract merits of the constitutional provisions as to the making of treaties. Under a popular government like ours it would be neither possible nor safe to leave the vast powers of treaty making exclusively in the hands of a single person. Some control over the Executive in this regard must be placed in the Congress, and the framers of the Constitution intrusted it to the representatives of the States. That they acted wisely can not be questioned, even if the requirement of the two-thirds vote for ratification is held to be a too narrow restriction. These, however, are considerations of no practical importance, and after all only concern ourselves. Our system of treaty-making is established by the Constitution and has been made clear by long practice and uniform precedents. The American people understand it and those who conduct the government of other countries are bound to understand it, too, when they enter upon negotiations with us. There is no excuse for any misapprehension. It is well also that the representatives of other nations should remember, whether they like our system or not, that in the observance of treaties during the last 125 years there is not a nation in Europe which has been so exact as the United States, nor one which has a record so free from examples of the abrogation of treaties at the pleasure of one of the signers alone.

Mr. JOHNSON. Mr. President, I desire to read into the Record very briefly a couple of documents so that the Senate of the United States, in its pride and its glory, may have before it an example of what is done in Great Britain, and that we may realize how our boasted freedom is upheld in the prerogatives and the privileges of the Senate of this country, and how more than any other nation on the face of the earth we are favored in our freedom and in the extent of the knowledge that is accorded us in anything relating to our people.

I read first—

Miscellaneous No. 2 (1930) Great Britain, Foreign Office.
Memorandum on the position at the London Naval Conference, 1930, of His Majesty's Government in the United Kingdom.
London, February 4, 1930.

Presented—

My God, think of the treason of it!—

Presented by the Secretary of State for Foreign Affairs to Parliament by command of His Majesty.

Oh, we would not do anything of that character in this country. Think of how we might betray the secrets of the Nation and how we might enter a delicate international field and thus cause an explosion that would blow all Christendom into tatters. But the Secretary of State for Foreign Affairs of Great Britain presents to Parliament, by command of His Majesty, "Memorandum on the position at the London Naval Conference, 1930, of His Majesty's Government in the United Kingdom, London, February 4, 1930."

February 5, 1930, was the time and the date of the proposition, made by the delegates of the United States of America to the London conference, and given to the Foreign Relations Committee of the United States Senate in confidence, and with the injunction, "you must not read it, you must not discuss it, you must not refer to it with any other person." Ah, do not talk about it to one another; in confidence the Secretary of State gives it to the Foreign Relations Committee, and it is

one of those sacred documents that can not be accorded the United States Senate.

London, February 4, 1930—

I repeat this is the—

Memorandum on the position at the London Naval Conference, 1930, of His Majesty's Government in the United Kingdom.

Part 1:

1. The policy of His Majesty's Government in the United Kingdom is to keep the highway of the seas open for trade communication, and, in relation to the political state of the world, to take what steps are necessary to secure this.

2. The Government is directing its policy to secure this by co-operating with the League of Nations, making friendly compacts with other nations, strengthening the International Court, accepting arbitration in international disputes, honoring the peace pact of Paris, and otherwise aiding in tranquilizing the world. Whilst it believes that the result of that policy will be ultimately to eliminate the causes of war and establish peace on an unassailable foundation, it recognizes that there must be a time of transition which will be marked by a steady decline in the importance and amount of armaments of all kinds, ending in disarmament.

3. The transition time should be marked by efforts to carry the security against war afforded by political and judicial agreements further and further and to mark progress by disarmament treaties.

For this reason the Government considers the London Naval Conference of supreme importance and believes that it ought to put an end finally to competition in naval armaments and reduce existing fleets and building programs.

Mark you, Mr. President, the first idea and the first premise suggested is that—

The transition time should be marked by efforts to carry the security against war afforded by political and judicial agreements further and further—

That is No. 1; and No. 2 is—

To mark progress by disarmament treaties.

4. In estimating what fleet is required the Government has also to take account of the obligations which the country has undertaken in consequence of the terms—

Of what?—

of the covenant of the League of Nations (partly offset, though they are, by the pooled security afforded under the covenant by its provision of mutual support) and other commitments which it has inherited and which it has to fulfill in relation to the present condition of the world.

That is, the British Government takes these things into consideration—permit me to emphasize them—

In estimating what fleet is required the Government has also to take account of the obligations which the country has undertaken in consequence of the terms of the covenant of the League of Nations (partly offset, though they are, by the pooled security afforded under the covenant by its provision of mutual support) and other commitments which it has inherited and which it has to fulfill in relation to the present condition of the world. In deciding what these amount to in terms of naval strength the Government must estimate the chances of war breaking out, because, if this is not done, fleets will be built which will never be of any use but which will threaten rather than protect, and at best will be a waste of national resources.

The Government takes the view that if the strengths of national fleets are not to be a menace, they must be the subject of international agreements, the purpose of which should be to maintain an equilibrium. This equilibrium will not be secured by mere numerical equality in ships and tonnage—which may, indeed, be a condition of serious inequality from the point of view of effectiveness—but by agreed programs which will be based on considerations of requirements affecting dispersion, etc., and in which menace will be reduced as much as possible. For this there can be no general formula or ratio. It must be the subject of agreements made from time to time at conferences such as this.

6. As the political conditions determining world security are not fixed, agreements should be made for periods at the end of which they should be reviewed and during which governments should be engaged in strengthening the foundations of peace.

7. His Majesty's Government in the United Kingdom proposes that the general agreement should run till 1936, and that in 1935 a further conference should be called to review the situation in relation to world conditions. Governments will be asked at the present conference to agree to make all adjustments necessary in their programs and existing strengths by a date to be fixed before the end of 1936, and it will be suggested that the conference in 1935 should deal with the situation after 1936.

Then part 2 follows. These are the proposals in reference to the conference, and I do not desire to occupy the time at the

present moment in reading them; but, if it will be permitted me, I shall have the entire document printed as a part of my remarks.

The PRESIDING OFFICER. There being no objection, it is so ordered.

(See Exhibit A.)

Mr. JOHNSON. I offer a second one, Mr. President, which is even more treasonable than the first, viewed from the standpoint of the action of the administration upheld doubtless by the United States Senate and of many of the Senators sitting in this body; wickeder, sir, because here, in the second memorandum that I present, details are given by the British Government to the Members of Parliament. Just think of it! And Members of Parliament received these details. What a tremendous and marvelous and wonderful and unthinkable thing it is that the Members of Parliament received from the British Government details relating to the arms conference!

Oh, make no such mistake with the Government of the United States or with the Senate of the United States! That would be a horrible thing to do—here to do such a thing as that done in Britain. Why, we can not think of it for a single instant, because it may be incompatible with the public safety or the public business or the public dignity to commit to the party that is to act upon the subject that which will enable him to act with intelligence and that which will enable him to know understandingly what has transpired, and with wisdom, therefore, to govern himself in what he shall do in behalf of his country.

This is—

Miscellaneous No. 8 (1930).

Memorandum on the results of the London Naval Conference from January 21 to April 15, 1930.

London, April 15, 1930.

Presented—

Again presented—

by the Secretary of State for Foreign Affairs to Parliament by command of His Majesty.

Then the memorandum proceeds:

Memorandum on the results of the London Naval Conference from January 21 to April 15, 1930.

LONDON, April 15, 1930.

In a memorandum on the position at the London Naval Conference, 1930, presented to Parliament on the 4th February last, His Majesty's Government in the United Kingdom took the view that if the strength of national fleets were not to be a menace they must be the subject of international agreement, the purpose of which should be to maintain an equilibrium which should form the subject of agreements made from time to time by the naval powers. His Majesty's Government believed that, if such an agreed equilibrium could be established over a period of time, the sense of security of any power would be increased, and one of the most fruitful sources of fear and friction would be removed. Meanwhile, governments could be engaged in strengthening the foundations of peace and paving the way for further measures of disarmament.

Proposals for achieving the above were set out in the memorandum, and it will now be convenient to place before Parliament the measure of success which has been reached up to date at the London Naval Conference in giving effect to the aims of His Majesty's Government.

As regards capital ships, complete agreement has been reached between all the powers represented at the conference that they will lay down none of the replacement ships of 35,000 tons each which they were entitled to build, under the terms of the Washington treaty, during the years 1931–1936, inclusive. The British Commonwealth of Nations, the United States, and Japan undertake to proceed at once with the reduction of their capital ships in numbers to 15, 15, 9, respectively, instead of waiting until the expiration of the Washington treaty. France and Italy only reserve to themselves the right of constructing additional ships from the replacement tonnage which has been available for such use between the signature of the Washington treaty and the present day, but which has not actually been used up to date.

As regards aircraft carriers, His Majesty's Government have not been able to obtain at this conference a modification of the total tonnage and displacement limits laid down in the Washington treaty. It was agreed that this matter should be left over until a conference in 1935, but meanwhile His Majesty's Government's proposal that aircraft carriers under 10,000 tons should be included in the aircraft-carrier category has been generally agreed to, and the further provision has been added that the gun armament for these particular vessels should not exceed 6 inches in caliber instead of 8 inches. As regards other classes of vessels, it has not been possible yet to reach an agreement embracing all the powers represented at the conference. His Majesty's Government will continue conversations with France and Italy in the hope of arriving at a satisfactory adjustment.

Meanwhile complete agreement has been reached between the British Commonwealth of Nations, the United States, and Japan on:

(a) The category system of limitation of capital ships, aircraft carriers, cruisers, destroyers, and submarines;

(b) The figures within these categories; and

(c) The question of transfer between 6-inch cruisers and destroyers. The figures for the agreement for cruisers, destroyers, and submarines as between the three powers are as follows:

If I may be permitted to print them in the Record without reading them, I should be very glad; and I ask that permission.

The VICE PRESIDENT. Without objection, it is so ordered. (See Exhibit B.)

Mr. JOHNSON (reading):

The United States—

Says this report—

undertakes not to complete more than fifteen 8-inch-gun cruisers before 1935.

Interesting, is this!

The United States has the option to rest on this figure and to make a corresponding increase in its 6-inch-gun cruisers from 143,500 to 188,000, in which case the total tonnage for the United States and the British Commonwealth of Nations will amount to 541,700. If it does not choose to exercise this option, it undertakes that its sixteenth 8-inch-gun cruiser will be laid down in 1933, its seventeenth in 1934, and its eighteenth in 1935. In that event Japan will be free to advance a claim at the conference in 1935 for an increase in its 8-inch tonnage.

This section of the treaty, which will apply to the British Commonwealth of Nations, the United States, and Japan, will contain a clause safeguarding our position in relation to the building programs of other powers.

I do not care to read all that may be in this report; but I wish to read one other paragraph and then ask unanimous consent that the whole may be printed.

Further, although the submarine remains as a combatant naval vessel, an important agreement has been reached by all five powers strictly limiting its use and insuring its compliance to the rules generally recognized to be applicable to all surface vessels. This is not so drastic as the Washington instrument; but the latter treaty, though ratified by us, never received the requisite unanimous ratification.

And the last paragraph:

After the signature of the treaty the conference will adjourn in order to give further time for negotiations between the French and Italian Governments, with a view to the settlement of difficulties which as yet prevent a complete agreement. These negotiations may be prolonged, and it is unnecessary that the delegations from distant countries, which are not so immediately concerned, should remain in London while the conversations are proceeding; it is for this reason that an adjournment has been decided upon.

London, April 15, 1930.

I ask consent that the whole of the report may be printed as part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered. (See Exhibit B.)

Mr. JOHNSON. As I said in the beginning, Mr. President, I offer these documents, issued by the British Foreign Office to the British Parliament, as indicating something of the mode in which they transact their business where the safety of the Empire is at stake, and indicating, sir, in comparison with what has been done with the United States Senate in reference to the documents to which it is entitled, how their Government has acted. They of themselves should be sufficient to require the passage of the resolution that has been introduced here, and not only to require its passage but to require the Senate, if it has the dignity and the manhood that a body of this power ought to have, to stand for its rights, its privileges, its prerogatives; but beyond all that, sir, to stand for that which will enable the Senate to do its whole duty by the people of the United States in the matter of the public defense.

EXHIBIT A

(Miscellaneous No. 2 (1930), Great Britain Foreign Office)

MEMORANDUM ON THE POSITION AT THE LONDON NAVAL CONFERENCE, 1930, OF HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM, LONDON, FEBRUARY 4, 1930

(Presented by the Secretary of State for Foreign Affairs to Parliament by command of His Majesty)

PART I

(1) The policy of His Majesty's Government in the United Kingdom is to keep the highway of the seas open for trade and communication, and, in relation to the political state of the world, to take what steps are necessary to secure this.

(2) The Government is directing its policy to secure this by cooperating with the League of Nations, making friendly compacts with other nations, strengthening the International Court, accepting arbitration in international disputes, honoring the peace pact of Paris, and otherwise aiding in tranquilizing the world. Whilst it believes that the result of that policy will be ultimately to eliminate the causes of war and establish peace on an unassailable foundation, it recognizes that there must be a time of transition which will be marked by a steady decline in the importance and amount of armaments of all kinds, ending in disarmament.

(3) The transition time should be marked by efforts to carry the security against war afforded by political and judicial agreements further and further, and to mark progress by disarmament treaties.

For this reason the Government considers the London Naval Conference of supreme importance, and believes that it ought to put an end finally to competition in naval armaments and reduce existing fleets and building programs.

(4) In estimating what fleet is required the Government has also to take account of the obligations which the country has undertaken in consequence of the terms of the covenant of the League of Nations (partly offset, though they are, by the pooled security afforded under the covenant by its provision of mutual support), and other commitments which it has inherited and which it has to fulfill in relation to the present condition of the world. In deciding what these amount to in terms of naval strength the Government must estimate the chances of war breaking out, because, if this is not done, fleets will be built which will never be of any use but which will threaten rather than protect and at best will be a waste of national resources.

(5) The Government takes the view that if the strengths of national fleets are not to be a menace, they must be the subject of international agreements, the purpose of which should be to maintain an equilibrium. This equilibrium will not be secured by mere numerical equality in ships and tonnage—which may indeed be a condition of serious inequality from the point of view of effectiveness—but by agreed programs which will be based on considerations of requirements affecting dispersion, etc., and in which menace will be reduced as much as possible. For this there can be no general formula or ratio. It must be the subject of agreements made from time to time at conferences such as this.

(6) As the political conditions determining world security are not fixed, agreements should be made for periods at the end of which they should be reviewed and during which governments should be engaged in strengthening the foundations of peace.

(7) His Majesty's Government in the United Kingdom proposes that the general agreement should run till 1936 and that in 1935 a further conference should be called to review the situation in relation to world conditions. Governments will be asked at the present conference to agree to make all adjustments necessary in their programs and existing strengths by a date to be fixed before the end of 1936, and it will be suggested that the conference in 1935 should deal with the situation after 1936.

PART II

With these considerations and aims in mind His Majesty's Government in the United Kingdom makes the following proposals for the consideration of the conference:

(1) It believes that an agreement should not only be upon total fleet tonnage (global tonnage) but upon the size of individual ships in the various recognized fleet categories and the amount of tonnage which nations use in each of the categories. The categories should be those in general use among naval powers to-day—capital ships, aircraft carriers, cruisers, destroyers, and submarines.

An agreement by categories is essential to obtain certain conditions of security, such as the elimination of competitive building and the maintenance of the equilibrium between national fleet and national fleet. It is not only the gross tonnage of a fleet which counts but the use to which the tons are put, and an agreement on the latter is required.

(2) At the same time, whilst an agreement upon category totals is essential to establish the feeling of security, it might be convenient if a percentage of tonnage assigned to different categories of certain types of vessels might be allowed to be transferred to certain other types, but His Majesty's Government in the United Kingdom does not favor a general transfer. For the classes of capital ships, aircraft carriers, and submarines there should be no transfer. Within the cruiser category it is proposed that transfer should be permitted out of the 8-inch class into the 6-inch class on a percentage to be arranged, an agreed evaluating factor being employed for such transfer. The object of this arrangement is to take account of the special needs of countries requiring a larger proportion of cruisers of a small type.

(3) As regards small cruisers and destroyers it is probable that some nations with smaller navies may find a rigid division into these categories unworkable. His Majesty's Government in the United Kingdom will be prepared to consider a transfer of tonnage between these categories to take account of the special needs of the powers in question.

(4) Turning to the question of the size and number of capital ships, His Majesty's Government in the United Kingdom proposes that the limit of numbers fixed by the Washington treaty should be reached

within 18 months of the ratification of the treaty arrived at by the London Naval Conference instead of in 1936; that no replacement of existing ships should take place before the next conference in 1935, and that in the meantime the whole question of capital ships, their number, size, and gun caliber, should be the subject of negotiation between the powers which have built them. Without disturbing the Washington equilibrium and therefore security, the government will press for reduction. The British Admiralty have informed the government that it would favor a reduction in size from 35,000 tons to 25,000 tons and of guns from 16 inches to 12 inches, together with a lengthening of the age from 20 to 26 years. The government invites an exchange of views upon this subject before the conference disperses. As regards no other category of ships is there a better opportunity of meeting peace requirements or of effecting economies.

In the opinion of His Majesty's Government in the United Kingdom, the battleship, in view of its tremendous size and cost, is of doubtful utility and the government would wish to see an agreement by which the battleship would in due time disappear altogether from the fleets of the world.

(5) His Majesty's Government in the United Kingdom considers that the evolution of the aircraft carrier, both in tonnage and in caliber of guns, should be limited, and that ships of 10,000 tons and under should be included in the total tonnage assigned to the class. The Government proposes a total tonnage of, say, 100,000 for the British and United States Navies, as compared with a total tonnage of 135,000 under the Washington treaty, and an adjustment of that assigned to other nations on the Washington treaty ratios; that the maximum size should not exceed 25,000 tons and the age be lengthened from 20 to 26 years.

(6) The conversations of last summer between the Governments of the United States and Great Britain turned almost exclusively upon cruisers, and underlying them was the assumption that these should be grouped in one category subdivided into those carrying 8-inch guns and those carrying 6-inch guns and under. The negotiations were further conducted on the assumption that the requirements of the British commonwealth would consist of 50 cruisers, with a total tonnage of 339,000. A final arrangement will depend on the decisions of this conference as regards limitation in size of units. The Government proposes that a general agreement should not change the tonnage limit of 8-inch cruisers provided for in the Washington treaty, but fix that of the smaller vessels at about 6,000 or 7,000 tons, with a further agreement that only a fixed proportion of the ships in that class should be built up to that limit. It also proposes to fix the life of cruisers at 20 years.

(7) The size and total tonnage of the destroyer class must largely depend on the size and tonnage of the submarine class. The government proposes that the limit of size should be for leaders 1,850 tons with 5-inch guns (maximum) and 1,500 tons for destroyers, also with 5-inch guns (maximum). Its present building program will ultimately consume 200,000 tons, but this can be reduced if the submarine programs of other powers are similarly reduced.

(8) His Majesty's Government in the United Kingdom proposes the abolition of the submarine. The argument that this arm is one solely of defense has been destroyed by the experiences of the late war. In war conditions it is an arm of attack, carrying offense into new fields and extending war fronts. If an agreement upon this is impossible, the government will put forward proposals limiting submarines rigidly to defense requirements in numbers and size. Its position during the negotiations on this arm will be to obtain the lowest possible limits. It will also propose to revive the agreement signed at Washington on February 6, 1922, but not fully ratified by the signatory powers, to regulate the attack of merchant ships by submarines in accordance with the rules and practice set forth in the treaty.

(9) Below this there will be types of auxiliary vessels, used for purposes ancillary to fleets, which do not, strictly speaking, enter into fleet strengths. His Majesty's Government in the United Kingdom proposes that they should be specified and that each government should agree to publish each year lists of such vessels with their individual tonnage in commission or actually building.

LONDON, February 4, 1930.

EXHIBIT B

(Miscellaneous No. 8 (1930), Great Britain Foreign Office)

MEMORANDUM ON THE RESULTS OF THE LONDON NAVAL CONFERENCE FROM JANUARY 21 TO APRIL 15, 1930—LONDON, APRIL 15, 1930

(Presented by the Secretary of State for Foreign Affairs to Parliament by command of His Majesty)

In a memorandum on the position at the London naval conference, 1930, presented to Parliament on the 4th February last, His Majesty's Government in the United Kingdom took the view that if the strengths of national fleets were not to be a menace they must be the subject of international agreement, the purpose of which should be to maintain an equilibrium which should form the subject of agreements made from time to time by the naval powers. His Majesty's Government believed that if such an agreed equilibrium could be established over a period of time

the sense of security of any power would be increased and one of the most fruitful sources of fear and friction would be removed. Meanwhile, governments could be engaged in strengthening the foundations of peace and paving the way for further measures of disarmament.

Proposals for achieving the above were set out in the memorandum, and it will now be convenient to place before Parliament the measure of success which has been reached up to date at the London naval conference in giving effect to the aims of His Majesty's Government.

As regards capital ships, complete agreement has been reached between all the powers represented at the conference that they will lay down none of the replacement ships of 35,000 tons each which they were entitled to build, under the terms of the Washington treaty, during the years 1931-1936, inclusive. The British Commonwealth of Nations, the United States, and Japan undertake to proceed at once with the reduction of their capital ships in numbers to 15, 15, 9, respectively, instead of waiting until the expiration of the Washington treaty. France and Italy only reserve to themselves the right of constructing additional ships from the replacement tonnage which has been available for such use between the signature of the Washington treaty and the present day, but which has not actually been used up to date.

As regards aircraft carriers, His Majesty's Government have not been able to obtain at this conference a modification of the total tonnage and displacement limits laid down in the Washington treaty. It was agreed that this matter should be left over until a conference in 1935, but meanwhile His Majesty's Government's proposal that aircraft carriers under 10,000 tons should be included in the aircraft-carrier category has been generally agreed to, and the further provision has been added that the gun armament for these particular vessels should not exceed 6 inches in caliber instead of 8 inches.

As regards other classes of vessels, it has not been possible yet to reach an agreement embracing all the powers represented at the conference. His Majesty's Government will continue conversations with France and Italy in the hope of arriving at a satisfactory adjustment.

Meanwhile complete agreement has been reached between the British Commonwealth of Nations, the United States, and Japan on—

(a) the category system of limitation of capital ships, aircraft carriers, cruisers, destroyers, and submarines;

(b) the figures within these categories; and

(c) the question of transfer between 6-inch cruisers and destroyers.

The figures for the agreement for cruisers, destroyers, and submarines as between the three powers are as follows:

British Commonwealth of Nations		Tons
8-inch-gun cruisers (15 units).....	146,800	
6-inch-gun cruisers.....	192,200	
Destroyers.....	150,000	
Submarines.....	52,700	
Total.....	541,700	
United States		
8-inch-gun cruisers (18 units).....	180,000	
6-inch-gun cruisers.....	143,500	
Destroyers.....	150,000	
Submarines.....	52,700	
Total.....	526,200	
Japan		
8-inch-gun cruisers (12 units).....	108,400	
6-inch-gun cruisers.....	100,450	
Destroyers.....	105,500	
Submarines.....	52,700	
Total.....	367,050	

The United States undertakes not to complete more than fifteen 8-inch-gun cruisers before 1935.

The United States has the option to rest on this figure and to make a corresponding increase in its 6-inch-gun cruisers from 143,500 to 189,000 in which case the total tonnage for the United States and the British Commonwealth of Nations will amount to 541,700. If it does not choose to exercise this option, it undertakes that its sixteenth 8-inch-gun cruiser will be laid down in 1933, its seventeenth in 1934, and its eighteenth in 1935. In that event Japan will be free to advance a claim at the conference in 1935 for an increase in its 8-inch tonnage.

This section of the treaty, which will apply to the British Commonwealth of Nations, the United States, and Japan, will contain a clause safeguarding our position in relation to the building programs of other powers.

In addition to the above points affecting actual tonnage a number of important decisions have been taken on the questions relating to the method of limiting and defining naval material of war. The rules which have been drawn up relate to the following subjects:

The general principle of limitation (i. e., a satisfactory compromise between the systems of global tonnage and limitation by categories); the definitions of the cruiser and destroyers; the unit size and armament of destroyers and submarines; the definition of exempt vessels, special vessels, and airplane carriers; the rules for scrapping and replacement; the definition of displacement tonnage; and the prohibition of the construction of vessels which do not conform to treaty limitations.

It has not been found possible to reach agreement on the abolition of the submarine, but as regards the three powers a total submarine tonnage figure which shall apply equally to each of them has been arrived at and His Majesty's Government has been able to insert a figure for destroyer tonnage which is appropriate if related to the three signatory powers, and is less by 50,000 tons than the figure of 200,000 tons referred to in the White Paper of February 4 last.

It must be noted, however, that the figure of 150,000 tons of destroyers for the British Commonwealth of Nations must be conditional on an agreed destroyer and submarine strength of the European powers represented at the London conference. This will be the subject of further negotiations with the powers concerned.

Further, although the submarine remains as a combatant naval vessel, an important agreement has been reached by all five powers strictly limiting its use and insuring its compliance to the rules generally recognized to be applicable to all surface vessels. This is not so drastic as the Washington instrument, but the latter treaty, though ratified by us, never received the requisite unanimous ratification.

The immediate financial saving resulting from the conference is the avoidance of expenditure for the replacement of battleships under the Washington treaty. But for this agreement, before the end of 1933 Great Britain would, under the Washington treaty, have completed five new 35,000-ton ships and would have had a further five appropriated for and under construction. This might have necessitated an expenditure in the region of £50,000,000 up to the end of 1936. Further, the financial saving involved in reducing at once to 15 capital ships is estimated at about £4,000,000.

As regards cruisers, destroyers, and submarines, the United States, Japan, and the British Commonwealth of Nations have overcome the difficulties which resulted in the failure of the Geneva conference in 1927. The final British proposal at that conference was for a combined total tonnage of cruisers, destroyers, and submarines, including over-age vessels, of 737,500 tons. The comparable total agreed upon to-day is 541,700 tons. On a conservative basis, we have been saved a further expenditure in these classes of ships of some £13,000,000.

Important as are these financial savings, a yet more important result of this first stage of the London conference has been the elimination of competitive building in cruisers and auxiliary craft between the British Commonwealth of Nations, the United States, and Japan, with all that this implies in the mutual improvement of their political relations. The figures of the agreement between those powers have been placed at a low level, and it is the earnest hope of His Majesty's Government that during the next stage of the conference agreement may be reached with the French and Italian Governments at levels which will permit of their programs and tonnage figures being incorporated in the agreement already reached between the other powers.

After the signature of the treaty the conference will adjourn in order to give further time for negotiations between the French and Italian Governments, with a view to the settlement of difficulties which as yet prevent a complete agreement. These negotiations may be prolonged, and it is unnecessary that the delegations from distant countries, which are not so immediately concerned, should remain in London while the conversations are proceeding; it is for this reason that an adjournment has been decided upon.

LONDON, April 15, 1930.

THE VICE PRESIDENT. The question is on the amendment offered by the Senator from Arkansas [Mr. ROBINSON].

Mr. REED. I call for the yeas and nays.

THE VICE PRESIDENT. The yeas and nays are demanded. Is the demand seconded?

Mr. ROBINSON of Indiana. I suggest the absence of a quorum.

THE VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Hale	Metcalf	Shortridge
Bingham	Harris	Norris	Smoot
Black	Hastings	Nye	Sullivan
Borah	Hatfield	Oddie	Swanson
Capper	Hebert	Overman	Thomas, Idaho
Caraway	Howell	Patterson	Thomas, Okla.
Copeland	Johnson	Phipps	Townsend
Couzens	Jones	Pittman	Trammell
Dale	Kendrick	Reed	Vandenberg
Deneen	Keyes	Robinson, Ark.	Walcott
Fess	La Follette	Robinson, Ind.	Walsh, Mass.
George	McCulloch	Robson, Ky.	Walsh, Mont.
Gillett	McKellar	Schall	Watson
Glen	McMaster	Sheppard	
Goldsbrough	McNary	Shipstead	

THE VICE PRESIDENT. Fifty-eight Senators have answered to their names. A quorum is present.

Mr. McKELLAR. Mr. President, on yesterday the junior Senator from Georgia [Mr. GEORGE] offered an amendment in the nature of a substitute. I have concluded to accept his amendment, and therefore ask to perfect my resolution by adding after the word "Senate" in line 2 the words "with such

recommendation as he may make respecting their use," so that the resolution will then read:

Resolved, That the President be, and he is hereby, requested to submit to the Senate, with such recommendation as he may make respecting their use, all letters, cablegrams, minutes, memoranda, instructions, and dispatches and all records, files, and other information touching the negotiations of said London naval treaty, to the end that the Senate may be able to do and perform its constitutional obligations with respect to advising and consenting to and ratifying such treaty or rejecting same.

The VICE PRESIDENT. The Senator from Tennessee modifies his resolution, which he has a right to do.

The question is on agreeing to the amendment offered by the senior Senator from Arkansas [Mr. ROBINSON], on which the Senator from Pennsylvania has asked for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. I ask that the amendment offered by the Senator from Arkansas be now stated.

The VICE PRESIDENT. The amendment proposed by the Senator from Arkansas will be stated for the information of the Senate.

The LEGISLATIVE CLERK. In line 2, after the word "requested," the Senator from Arkansas moves to insert the words "if not incompatible with the public interest."

The VICE PRESIDENT. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NYE (when Mr. FRAZIER's name was called). My colleague [Mr. FRAZIER] is unavoidably absent. On this question he is paired with the senior Senator from Kentucky [Mr. BARKLEY]. If my colleague were present, he would vote "nay," and if the senior Senator from Kentucky were present and voting, he would vote "yea."

Mr. BINGHAM (when Mr. GLASS's name was called). I have voted in the affirmative. I have a general pair with the Senator from Virginia [Mr. GLASS]. I understand that Senator is detained from the Senate on account of illness. I understand also that he would vote as I have voted, and therefore I shall let my vote stand.

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. I understand that he would vote as I intend to vote, and therefore I can vote. I vote "yea."

Mr. ROBINSON of Indiana (when his name was called). On this question I have a pair with the junior Senator from Mississippi [Mr. STEPHENS]. If he were present, he would vote "yea." If permitted to vote, I would vote "nay." In his absence I withhold my vote.

Mr. SHIPSTEAD (when his name was called). On this vote I am paired with the junior Senator from Arizona [Mr. HAYDEN]. If he were present, I understand he would vote "yea." If I were permitted to vote, I would vote "nay."

Mr. GILLETTE (when Mr. SIMMONS's name was called). I have voted in the affirmative. I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS], but I am informed that if he were present he would vote "yea," and therefore I will let my vote stand.

Mr. PHIPPS (when Mr. WATERMAN's name was called). My colleague [Mr. WATERMAN] is necessarily absent. He has a general pair with the junior Senator from Montana [Mr. WHEELER].

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. I am informed that if he were present he would vote as I am about to vote, and I therefore vote "yea."

The roll call was concluded.

Mr. LA FOLLETTE. I desire to announce the unavoidable absence of my colleague [Mr. BLAINE]. If present, he would vote "nay." He is paired with the senior Senator from Louisiana [Mr. RANDELL], who I understand if present would vote "yea."

Mr. SHEPPARD. Mr. President, we have received the following telegram:

Please pair me for McKellar amendment and against any amendment to that amendment.

C. C. DILL.

Mr. FESS. I wish to announce the following general pairs: The Senator from West Virginia [Mr. GOFF] with the Senator from Alabama [Mr. HEFLIN];

The Senator from Maine [Mr. GOULD] with the Senator from South Carolina [Mr. BLEASE];

The senior Senator from New Jersey [Mr. KEAN] with the junior Senator from Washington [Mr. DILL];

The junior Senator from New Jersey [Mr. BAIRD] with the senior Senator from New Mexico [Mr. BRATTON]; and

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Utah [Mr. KING].

I am informed that the Senator from West Virginia [Mr. GOFF], the Senator from Maine [Mr. GOULD], the Senator from Vermont [Mr. GREENE], the senior Senator from New Jersey [Mr. KEAN], the Senator from Pennsylvania [Mr. GRUNDY], and the junior Senator from New Jersey [Mr. BAIRD] would vote "yea" if present. I am not informed how their pairs would vote.

I also wish to announce that the Senator from New Hampshire [Mr. MOSES] has a general pair with the Senator from Iowa [Mr. STECK]. If present, the Senator from New Hampshire would vote "nay" and the Senator from Iowa would vote "yea."

Mr. SHEPPARD. My colleague the junior Senator from Texas [Mr. CONNALLY] is unavoidably absent, having left the city to attend the meeting of the Interparliamentary Union at London as a delegate from the American Congress. There are in attendance at the conference as delegates from the American Congress also the Senator from Kentucky [Mr. BARKLEY], the Senator from Arizona [Mr. ASHBURST], and the Senator from Maryland [Mr. TYDINGS].

I desire also to announce that the Senator from Florida [Mr. FLETCHER] and the Senator from Missouri [Mr. HAWES] are detained by illness and that the Senator from New Mexico [Mr. BRATTON] and the Senator from South Carolina [Mr. BLEASE] are detained on account of illness in their families.

The senior Senator from Mississippi [Mr. HARRISON] is necessarily absent. If present, he would vote "yea."

The junior Senator from Mississippi [Mr. STEPHENS] is absent on official business.

The Senator from Tennessee [Mr. BROCK], the Senator from Alabama [Mr. HEFLIN], the senior Senator from Louisiana [Mr. RANDELL], and the junior Senator from Louisiana [Mr. BROUSSARD] are necessarily detained in their home States on important matters.

There is a special pair on this question between the senior Senator from North Carolina [Mr. SIMMONS] and the junior Senator from Louisiana [Mr. BROUSSARD].

Mr. COPELAND. I desire to announce that my colleague [Mr. WAGNER] is necessarily absent.

The result was announced—yeas 38, nays 17, as follows:

YEAS—38			
Allen	Goldsborough	Metcalf	Sullivan
Bingham	Hastings	Overman	Swanson
Borah	Hatfield	Patterson	Thomas, Idaho
Capper	Hebert	Phipps	Townsend
Couzens	Jones	Reed	Trammell
Dale	Kendrick	Robinson, Ark.	Vandenberg
Deneen	Keyes	Robson, Ky.	Walcott
Fess	McCulloch	Sheppard	Watson
Gillett	McMaster	Shortridge	
Glenn	McNary	Smoot	
NAYS—17			
Black	Howell	Nye	Walsh, Mass.
Copeland	Johnson	Oddie	Walsh, Mont.
George	La Follette	Pittman	
Hale	McKellar	Schall	
Harris	Norris	Thomas, Okla.	
NOT VOTING—41			
Ashurst	Cutting	Hayden	Smith
Baird	Dill	Healin	Steck
Barkley	Fletcher	Kean	Stelwer
Blaine	Frazier	Klug	Stephens
Bleise	Glass	Moses	Tydings
Bratton	Goff	Norbeck	Wagner
Brock	Gould	Pine	Waterman
Brookhart	Greene	Ransdell	Wheeler
Broussard	Grundy	Robinson, Ind.	
Caraway	Harrison	Shipstead	
Connally	Hawes	Simmons	

So the amendment of Mr. ROBINSON of Arkansas adding the clause "if not incompatible with the public interest" was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the resolution as amended.

Mr. REED. Mr. President, as the resolution is amended, it seems to me to be unobjectionable from any standpoint, and I hope it will be agreed to.

Mr. GEORGE. Mr. President, as one who has already announced that he expected to support the treaty, I wish to take this occasion to say that the vote just taken in the Senate is to me most remarkable. I have no disposition to criticize anyone, and I do not. When a resolution similar in character was offered in the Foreign Relations Committee, I voted against it, because in the exact form in which it was couched I did not believe it fairly and fully recited the position of the State Department.

But how the Senate can record itself, as it has just recorded itself, upon a matter of so supreme importance is rather difficult to understand. The resolution which was offered in the Senate

simply and courteously requested the President to send the documents leading up to the making of the treaty, using the word "making," of course, in the limited sense, with such recommendations as he should make with respect to the use of those documents by the Senate in the consideration of the treaty itself. So that the Senate, by the vote just taken, added the further qualification, "if not incompatible with the public interest."

The Senate thus recognized the absolute right of the President of the United States to withhold from the Senate documents preceding the making of a treaty. I dare say that hitherto the Senate of the United States could not be induced to so commit itself upon a matter of such grave importance. I dare say that the action taken by the Senate is infinitely more important than the treaty now before the Senate.

The Senate solemnly admits, by the amendment which it superadds to a simple request, that the President of the United States has the right and may himself conclusively adjudge whether documents preceding the execution of a treaty, the foundation of it, may be withheld from the Senate when the Senate is called upon to accept or to reject the treaty. In other words, the resolution can be interpreted in the light of its history, in the light of what occurred in the Foreign Relations Committee, as meaning but one thing, and that is that with respect to the treaty the Senate of the United States has but one right, but one power, but one duty, but one obligation, and that is "yes" or "no" after the treaty has been negotiated and has been made by the President or by any agency of his selection.

Personally I have never believed, though I have not gone to the trouble of examination under the conditions presented, that the documents in this case were especially material or that they would probably influence any Senator one way or the other upon the treaty. I have been at a loss to know why the President of the United States and why the Secretary of State did not send the documents to this body with the statement that, in their judgment, the documents should be considered in strict confidence and in closed executive session by the Senate. To-day I do not know. But if there is a failure of the Senate to take this treaty now, if it goes over until December, it will be because the President and the State Department have taken the attitude which they have assumed in this matter.

If this were a matter upon which the opinion of the American people had been greatly aroused, the attitude of the State Department and the President would result, in all probability, in the defeat of the treaty. If it were a matter of supreme importance to the country, if it involved more than this treaty does in fact and in the opinion of the country involved, there would be very good reason why the Senate of the United States should refuse to act upon the treaty in my judgment, until and unless the President voluntarily submitted all documents relevant to a correct and proper understanding and interpretation of the treaty.

The resolution offered in the Foreign Relations Committee was adopted 10 to 7. I voted against the resolution because of its phraseology. The identical language inserted in the resolution now before us by the amendment offered by the Senator from Arkansas was voted down by the Foreign Relations Committee, the identical language having been offered by the senior Senator from Mississippi [Mr. HARRISON].

I voted against the amendment in committee. It must be conceded that the President of the United States has an equal right to express himself upon the publication in any manner of the notes and documents. I concede more: He has a certain priority of right because the documents pass immediately and directly between the President or the executive agency of the Government and foreign governments.

But I am not willing to commit myself now or hereafter to the proposition that a respectful request of the Senate for documents in a case of this kind, coupled with an invitation to the President to make such recommendation respecting the use of the documents as he may think proper, should be further burdened with the statement, "If not incompatible with the public interest," because that is an admission—in the light of the history of this resolution it can not be otherwise interpreted—that the Senate now recognizes the absolute right of the President to withhold from the Senate any and all documents, any and all negotiations carried on by him with other governments which result in the making of the treaty submitted by the President to the Senate for ratification.

Mr. President, it has been intimated here that if these documents were submitted to the Senate and considered by the Senate in closed executive session under the pledge of confidence that, nevertheless, the contents of the documents would leak out, would go to the country, and would go to the world. If there is anything in that suggestion—and I do not for a moment concede it—the President of the United States, through the senior Sena-

tor from Pennsylvania [Mr. REED], has robbed the objection of all force. The Senator from Pennsylvania has stated on the floor of the Senate that he was in possession of all of the documents. He has said that any Senator who would make the pledge to him that he would treat them in confidence, as the Senator from Pennsylvania was obligated to do, might see the documents. If any Senator is pleased to see the documents under the conditions named, then all Senators are privileged to see them under the same circumstances.

If there is anything in the suggestion that the Senate can not be trusted to keep its pledge, it has been entirely destroyed by the Senator from Pennsylvania, presumably with the approval of the President. I do not criticize the Senator from Pennsylvania. Having himself agreed to receive the documents and to regard them as confidential, he could not in honor permit another Senator to see them who would not make to him the same promise. But if any one Senator or any Senator, as the Senator from Pennsylvania said, may see them under the same conditions, all Senators are therefore privileged to see them under the conditions named; and there is in this instance, therefore, no basis for the suggestion or argument, if it can be considered as an argument, that the President as a matter of absolute right may refuse to submit pertinent material documents to the Senate upon the ground that the Senate may not be trusted to keep its confidence in its dealings with the Executive.

Mr. President, I shall vote against the resolution as now amended. There may not be a roll call upon it. I wish the RECORD to disclose that I voted against it. I want it to appear, not that I question the right of the President of the United States to express himself with reference to the manner of the use of the documents, not even his priority of right in that regard, but I want the RECORD to show that I voted against the resolution because I do not concede it to be the right of the President of the United States to withhold the documents from the Senate. I think he should submit the documents to the Senate with such recommendation as he wishes to make, with such suggestion as he believes he should make.

I have not the shadow of a doubt that in any case, if the request were founded upon a fair reason, that the Senate would respect the President's wishes. If he should send the documents here, as I stated yesterday, with the recommendation that they should not be made public or used in open executive session, certainly the Senate would respect the President's request. His right is equal to and coextensive with all the rights which the Senate can rightly assert to the documents, and I concede to him that priority of right which the circumstances necessarily give to the President of the United States. I do not concede his absolute right to withhold from the Senate the pertinent material and necessary evidence of the intent, purpose, and meaning of a treaty submitted to the Senate for its ratification.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

Mr. HOWELL. Mr. President, I wish to offer an amendment. On page 2, line 1, after the word "Senate," I move to insert the words "in confidence as he may deem proper."

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Arkansas?

Mr. HOWELL. Certainly.

Mr. ROBINSON of Arkansas. Does that mean that the President must send the messages, documents, cablegrams, letters, and so forth, in confidence.

Mr. HOWELL. No; it does not mean that. It means that the Senate requests, "if not incompatible with the public interest," that they may be sent in confidence if he deems proper. In other words, the President will be in the position that he will know that any document which he may send may be sent in confidence, and that that is all the Senate requests.

Mr. ROBINSON of Arkansas. I understand the Senator's amendment. I see no objection to it so far as I am concerned.

Mr. JOHNSON. Mr. President, is the Senator aware of the fact that the Senator from Tennessee [Mr. McKELLAR] has accepted the substitute offered by the Senator from Georgia [Mr. GEORGE], and that it now contains not the language suggested by the Senator from Nebraska but language which is tantamount to it, in my opinion?

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Arkansas?

Mr. JOHNSON. Certainly.

Mr. ROBINSON of Arkansas. According to my construction of the effect of the amendment proposed by the Senator from Georgia, it does not change in any degree whatever the effect of the original resolution offered by the Senator from Tennessee. It might be construed as an invitation to the President to make recommendation, but we all understand fully that whenever the President communicates with the Senate on any matter over which it has jurisdiction, he is at liberty to make recommendation.

Mr. BORAH and Mr. McKELLAR addressed the Chair.

The VICE PRESIDENT. Does the Senator from California yield; and if so, to whom?

Mr. JOHNSON. I yield first to the Senator from Idaho.

Mr. BORAH. Mr. President, when we adopted in the Foreign Relations Committee the resolution calling for these papers we did not include in it that they should be sent in confidence. Nevertheless, the President directed the Secretary of State to send them to the committee in confidence. It does not seem to me that we need to make any suggestion to the President as to sending these papers in confidence. For myself I do not like to make that suggestion at this time, not in the interest of the President but in the interest of the Senate. I think the Senate ought to have a wide latitude of judgment and discretion when these papers come here. Undoubtedly, if the President sends them in confidence the Senate will give serious consideration to and probably follow his wishes; but if we shall make the suggestion in advance we shall be committed to the proposition that the papers shall be considered in no sense except in confidence. That might not make any difference.

Mr. ROBINSON of Arkansas. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Arkansas?

Mr. BORAH. I yield.

Mr. ROBINSON of Arkansas. If the President should send to the Senate messages, letters, and documents in confidence, would the Senator from Idaho think that the Senate should receive the communications without respecting the limitation imposed by the Executive?

Mr. BORAH. Mr. President, that presents a very serious question. I do not want to be committed to the proposition that the President is the sole judge of how these papers shall be used. I can conceive of a case very easily, when we consider the circumstances which led up to the World War, where I, as a Senator, would be under solemn obligation to reveal to the constituency which I represent and to the country facts which might be disclosed in those documents.

The President has the absolute power to withhold the papers entirely if he wishes to do so, and if he does, we are helpless. He has the power to send them here with the suggestion that they be considered in confidence, and we will greatly respect anything the President may say; but I, myself, as a Senator, am not willing to say that we shall have no discretion when they reach here as to how we shall use those documents.

Mr. McKELLAR. Mr. President, will the Senator from Idaho yield to me?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Tennessee?

Mr. BORAH. I yield.

Mr. McKELLAR. I desire to call the attention of the Senator from Nebraska [Mr. HOWELL] to the amendment which is already embodied in the resolution, that is, the George amendment, which reads:

With such recommendation as he may make with respect to the use of such documents or any of them by the Senate.

Mr. HOWELL. Mr. President, I was not aware that that amendment had been adopted by the Senate; I was not present at the time, and I will withdraw my amendment.

The VICE PRESIDENT. The Senator from Nebraska withdraws his amendment. The question is on agreeing to the resolution of the Senator from Tennessee [Mr. McKELLAR] as amended.

Mr. BLACK. I ask for the yeas and nays on the resolution. I think we ought to have the yeas and nays on it.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. I understand that if present he would vote as I intend to vote. Therefore I feel at liberty to vote and vote "yea."

Mr. SHIPSTEAD (when his name was called). On this question I am paired with the Senator from Arizona [Mr. HAYDEN]. I understand that if he were present he would vote "yea." If I were permitted to vote, I should vote "nay." I withhold my vote.

Mr. STEPHENS (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. GREENE]. I am informed that if present he would vote as I intend to vote. Therefore I feel at liberty to vote and vote "yea."

Mr. WATSON. I am told that my general pair, the Senator from South Carolina [Mr. SMITH], if present would vote as I intend to vote. Therefore I feel released from the pair and will vote. I vote "yea."

The roll call was concluded.

Mr. BINGHAM. I have a general pair with the junior Senator from Virginia [Mr. GLASS], who is detained on account of illness. I am informed that if present he would vote as I intend to vote. Therefore I will vote. I vote "yea."

Mr. OVERMAN. My colleague [Mr. SIMMONS] is unavoidably absent. If he were present, he would vote "yea." He has a general pair with the senior Senator from Massachusetts [Mr. GILLET].

Mr. SHEPPARD. My colleague the junior Senator from Texas [Mr. CONNALLY] is unavoidably absent, having left the city to attend the meeting of the Interparliamentary Union at London as a delegate from the American Congress. There are in attendance at the conference as delegates from the American Congress also the Senator from Kentucky [Mr. BARKLEY], the Senator from Arizona [Mr. ASHBURST], and the Senator from Maryland [Mr. TYDINGS].

I desire also to announce that the Senator from Florida [Mr. FLETCHER] and the Senator from Missouri [Mr. HAWES] are detained by illness, and that the Senator from New Mexico [Mr. BRATTON] and the Senator from South Carolina [Mr. BLEASE] are detained on account of illness in their families.

I also wish to announce that the Senator from Utah [Mr. KING], who is unavoidably detained from the Senate, would, if present, vote "yea."

The result was announced—yeas 53, nays 4, as follows:

YEAS—53			
Allen	Hebert	Nye	Sullivan
Bingham	Howell	Oddie	Swanson
Borah	Johnson	Overman	Thomas, Idaho
Capper	Jones	Patterson	Thomas, Okla.
Couzens	Kendrick	Phipps	Townsend
Dale	Keyes	Reed	Trammell
Deneen	La Follette	Robinson, Ark.	Vandenberg
Fess	McCulloch	Robinson, Ind.	Valcott
Gillett	McKellar	Robison, Ky.	Walsh, Mass.
Glenn	McMaster	Schall	Walsh, Mont.
Goldsbrough	McNary	Sheppard	Watson
Hale	Metcalf	Shortridge	
Hastings	Moses	Smoot	
Hatfield	Norris	Stephens	
NAYS—4			
Black	Copeland	George	Harris
NOT VOTING—39			
Ashurst	Connally	Harrison	Shipstead
Baird	Cutting	Hawes	Simmons
Barkley	Dill	Hayden	Smith
Blaine	Fletcher	Heflin	Steck
Blease	Frazier	Kean	Steiger
Bratton	Glass	King	Tydings
Brock	Goff	Norbeck	Wagner
Brookhart	Gould	Pine	Waterman
Broussard	Greene	Pittman	Wheeler
Caraway	Grundy	Ransdell	

So the resolution as amended was agreed to, as follows:

Whereas on June 12, 1930, the Senate Committee on Foreign Relations by resolution requested the Secretary of State to send to it the letters, minutes, memoranda, instructions, and dispatches which were made use of in negotiations prior to and during the sessions of the recent conference at London; and

Whereas that committee received only a part of such documents; and Whereas the Secretary of State, by direction of the President, denied a second request from the Foreign Relations Committee for the papers above described, and in his letter to the chairman of that committee the Secretary of State has apparently attempted to establish the doctrine that the treaty of London must be considered by the Senate "from the language of the document itself and not from extraneous matter"; and

Whereas that committee dissented from such doctrine and regarded all facts which enter into the antecedent or attempted negotiation of any treaty as relevant and pertinent when the Senate is considering a treaty for the purpose of ratification; and

Whereas that committee continued to assert its rights as the designated agent of the Senate to have full and free access to all records, files, and other information touching the negotiation of the treaty, such right being based on the constitutional prerogative of the Senate in the treaty-making process; and

Whereas the chairman of that committee transmitted a copy of those resolutions to the President and Secretary of State; and

Whereas the President and Secretary of State refused to submit the papers and documents requested by the Foreign Relations Committee: Now, therefore, be it

Resolved, That the President be, and he is hereby, requested, if not incompatible with the public interest, to submit to the Senate, with such recommendation as he may make respecting their use, all letters, cablegrams, minutes, memoranda, instructions, and dispatches and all records, files, and other information touching the negotiations of said London naval treaty, to the end that the Senate may be able to do and perform its constitutional obligations with respect to advising and consenting to and ratifying such treaty or rejecting same.

The preamble was agreed to.

RELIGIOUS LIBERTY—ADDRESS BY SENATOR WALSH OF MASSACHUSETTS

Mr. COPELAND. Mr. President, the Commonwealth of Massachusetts on June 1, inaugurated the first of many public celebrations in recognition of the three hundredth anniversary of the founding of the Massachusetts Bay Colony by a large public meeting on Boston Common in appreciation of the blessings of religious liberty. Representatives of various religions participated in the exercises and delivered addresses upon the subject of Religious Liberty. The junior Senator from Massachusetts [Mr. WALSH] was among the distinguished speakers of the occasion, and I ask that his eloquent speech on the subject of religious liberty may be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

The progress of mankind through the centuries has given to us many priceless heritages. Outstanding among them all is what we call "religious liberty," a short expression of two words, yet it covers a vast area of human experience and accumulated human wisdom.

Religious liberty in America means that the State guarantees to every individual freedom of conscience; that intermeddling by the civil authority with religious institutions, doctrines, disciplines, or exercises is absolutely forbidden.

It is conceded by all classes of citizens who understand American political ideals that the civil power has wholly distinct functions and must not hamper or restrain or interfere with religion. One covers the temporal sphere; the other the spiritual. The State is concerned about the citizen's civic rights; religions make their appeal to God and the moral instincts of mankind. Whether a man enters a house of worship of one of the religious bodies of the older tradition or the house of worship of a sect that is founded but yesterday, or whether in his own private house he engages in prayer—and all men, even the apparently irreligious, pray at times—all are agreed that the State—the civil authority—may not cross that threshold.

If it be a flagrant usurpation of power for the Government to interfere with religion, conversely, neither political parties nor statesmen ought to intermeddle with religion, and religious organizations ought not to interfere with political questions that do not threaten the destruction of inalienable rights. I do not mean by this assertion to give sanction here to the idea of present-day materialists that God has no place in government and business. Belief in God and the following of his precepts, as each understands them, should interpenetrate all the affairs of men.

Neither should one religious body, if the true spirit of religious freedom is to be lived, interfere with another or seek to restrain or direct it in any way. And right here comes the necessity of exercising a great restraint and suppressing a great temptation. Each man naturally feels strongly about the rightfulness of his own faith; and in proportion as he feels, so he must think that other men with other faiths are wrong. This was one of the defects in the Puritans' philosophy, for, though deeply religious, yet they were not able to recognize the religious rights of others. The spirit of the times—300 years ago—was a persecuting spirit. It was abroad in almost the whole world. There was everywhere the feeling that error—which was any belief that was not that of the government in power—must be stamped out by force. Most of the charters given to the Colonists breathed it.

Thus it is that even to-day man is naturally tempted to set right those whom he thinks are wrong and to save them from their error. The zealot must resist that temptation and stifle it and never allow himself to go beyond gentle and loving persuasion of other men. And even in that he must be tactful, moderate, and ever mindful of the obligations of the observance of the principles of good taste.

Religious liberty is the result of a cause, and that cause is tolerance—the outgrowth of the long struggle of mankind with religious persecutions. It is the outstanding victory for human dignity and human liberty won by the common man after the centuries he and his children had groaned under a contrary concept of state's rights and duty.

It is the same spirit of tolerance that achieved religious freedom that alone can preserve religious freedom in the world. Tolerance is a magic word; a deep and broad and beneficent word—one of the last and finest fruits of man's long struggle upward from barbarism to grasp the torch of liberty. Tolerance is a word of healing, the final

solvent of old feuds, the enemy of snobbery and cant, the great enlarger of the sympathies and the understanding. When that departs everything departs, and religious liberty and much else besides that we should cherish will be things of the past.

When lack of consideration of the rights of others prevails, we have bigotry, the antithesis of tolerance—bigotry which springs from hatred in the heart toward all other men who held beliefs that are different from our own, misunderstanding and detestation of their peculiarities, and a busybody desire to interfere and to dictate.

The Puritans who founded this Commonwealth, being of their own epoch, could not rise above the spirit of intolerance; but the Puritans possessed a love of human liberty in civic things. They stood steadfastly for civil liberty. They rebelled against its encroachments. They cherished and nourished the seed out of which very largely grew the religious liberty embodied in our laws when at last we became an independent and united Nation.

The common ideal of self-government in all the colonies, especially pronounced here in Massachusetts, and the Union of the States for the protection of their inalienable rights against the greed and jealousy of the Old World, brought the dawn of religious tolerance to America.

And from this country—from Thomas Jefferson and the Virginia Bill of Rights and the Federal Constitution—this principle spread abroad and had much influence in other countries. Catholic emancipation in England in the last century and the cessation of State persecution of religion in the Old World has been, in large part, derived from the example set by the United States.

Great and far flung indeed are the good deeds of tolerance; hateful and narrow are the deeds of bigotry! May we not take it altogether too much for granted that we shall continue to be fortunate, that ours is a land of destiny; that religious and civil liberty are secure; that our natural resources never will be exhausted, and our genius never dimmed. Yet, there are many developments of our time that may well give us concern and cause us to give heed to the need of eternal vigilance.

Who would dare predict a decade ago that, almost overnight, a nation of profoundly religious people would witness the attempt of their government to extinguish religious liberty? Yet, in Russia, to-day, a mother in her home with her children at her knee, teaching her offspring the faith of their forefathers, is faced with the dread possibility, either to go to prison or pay a heavy fine or suffer the moral torture of seeing her child torn from her bosom and placed in a state school to be taught atheism at the expense of the parent.

It is not religion or any one religion that threatens the destruction of our progress—rather, it is irreligion—the danger that, in our material greatness, we permit the ease and luxury of the day to develop a spirit of self-complacency and snobbery against all religion. If, or when the evils attendant upon greatness and prosperity threaten us, may we not find an antidote in the healthy rivalry, and the ambitions of the various religions to instill into the hearts of Americans the simple and homely ideals of living the clean and cheerful spirit that will help to check the decay of wealth? May not the increase and spread of religion, bring a realization of the value of peace and justice and charity, and help solve the great approaching economic problem, which, as I see it, revolves around the masses in their natural aspirations to have a reasonable chance in life. Our very economic greatness, our industrial efficiency, our mass production, the vast scale of our industrial and commercial units are raising challenging questions and are bringing new and different economic questions closer to us than ever before. Do we believe we can escape entirely this economic struggle, which is causing political reconstructions in every part of the world? Religion, more than any other influence, can prevent the movement toward extreme and radical measures. This is why the advocates of political nostrums first turn their artillery of civil authority upon religion. Remove God and religion from the people, and there is no emblem for them to follow but that of black materialism or despotism.

The service to society, to stable government, democratic institutions, that religion can give—aye; must give—by stimulating the spiritual nature of man and nourishing spiritual ideals natural to the human heart, is a task ample and absorbing enough for all without nourishing the spirit of intolerance. Let Americans of every faith stop blasting at the rock of each other's religion and approach rather the struggle against those forces whose philosophy of life is purely secular or a compound of materialism and greed, of tangible advantage or cynical mistrust of human nature, with a united front. It is in the light of the noble moral forces of justice and charity that religion fosters that our inheritance will be secured, and public order, international law, world peace, civilization, rest secure.

How appropriate that we should assemble at the outset of the patriotic celebrations of the establishment of Massachusetts Bay Colony without distinction of creed or class to give thanks to God for His bounteousness to us and for the innumerable blessings, including religious liberty, that have been bestowed upon us by the Supreme Being. Without His guidance and support all the vast edifice of might and power and wealth, the stupendous growth and the free institutions we

boast of, would crumble to nothing. Truly, He has bestowed upon us a treasury of resources never before witnessed in the world. Christians of every sect, likewise Jews and Gentiles, men and women of all religions and of no creed, owe to Him the great fundamental duties of all religions—worship, gratitude, praise, and prayer. To fulfill this primary duty we have assembled to-day. Whatever the forms we use, we are only discharging the debt of our hearts for our Provider when we acknowledge His never-failing concern for the welfare of the great, numerous, and prosperous people He has brought together in this Commonwealth and Nation for wonderful designs of His own.

With all our hearts united in perfect joy, with gratitude, with humility, and with confidence sublime, let us choose the inspired words of the Virgin for our canticle:

"My soul doth magnify the Lord, * * *
For He that is mighty hath done great things to me."

Surely He that is mighty has done great things for us, our Commonwealth, and the Nation. Our souls to-day do magnify the Lord!

THE LONDON NAVAL TREATY

The VICE PRESIDENT. The Chair lays before the Senate the treaty.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. HALE obtained the floor.

Mr. JOHNSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from California?

Mr. HALE. I yield.

Mr. JOHNSON. I want to appeal to the Senator from Idaho in whose charge this treaty is, it now being half past 4, inasmuch as we have adopted a resolution calling for certain documents from the President, if we may not take a recess until 12 o'clock to-morrow, and receive the response of the President in respect to those documents.

Mr. BORAH. Would not the Senator be willing that we should take a recess until 11 o'clock to-morrow morning?

Mr. JOHNSON. I beg the Senator not to ask that the Senate recess until 11 o'clock in the morning, but to recess until the regular hour, 12 o'clock. There is no occasion for recessing until 11 o'clock.

Mr. WATSON. Mr. President, will the Senator yield for a question?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Indiana?

Mr. HALE. I yield.

Mr. WATSON. Would the Senator from California be willing next week to have the sessions begin at 11 o'clock a. m.?

Mr. JOHNSON. Not in the beginning of the week.

Mr. BORAH. Mr. President, I feel that unless we can have some arrangement as to the time of meeting to-morrow that we ought to go ahead until 5 o'clock.

Mr. JOHNSON. Of course, we can go ahead until 5 o'clock, if it is necessary, but let us stand on our dignity just a bit; I do not ask that we stand on it to any great extent, but the Senate, after two days' debate that was perfectly legitimate upon the subject, and by a vote that was quite overwhelming, has just adopted a resolution demanding certain documents. Let us see if the documents are furnished to us and let us see if we can not obtain them.

Mr. BORAH. That would be all right, but I know the Senator from Maine has a speech already prepared, regardless of the documents, and is ready to deliver it.

Mr. JOHNSON. Not this afternoon.

Mr. BORAH. No; not this afternoon; but the fact that it will be delivered to-morrow will not change the speech any.

Mr. HALE. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. The Senator from Maine is entitled to the floor.

Mr. HALE. I have prepared at some length a speech to be delivered, giving my views and my reasons for opposing the London treaty. It necessarily will take me several hours to deliver the speech, and I do not think it is fair to ask me to begin the speech at half past 4 in the afternoon.

Mr. BORAH. I agree with the Senator. I do not think it would be fair; but I do think it would be fair upon the part of the Senator to be willing to have the Senate meet at 11 o'clock if he is going to take several hours.

Mr. HALE. I do not think the proponents of the treaty are going to gain anything or secure the ratification of the treaty any sooner by trying to tire out those who are against it.

Mr. BORAH. Mr. President, there has been no effort of that kind and there will be no effort of that kind. When it was suggested to me that the Senate meet at 11 o'clock and those who are opposing the treaty thought that was unnecessarily

burdensome, I yielded, but now they are asking that the Senate take a recess before 5 o'clock, and I simply ask that the Senate continue in session until 5 o'clock or meet earlier in the morning.

Mr. HALE. Why not cut off the short half hour this afternoon? That is not an unreasonable request, and I hope the Senator will grant it.

Mr. BORAH. Will not the Senator be willing that the Senate meet at 11.30 o'clock in the morning?

Mr. HALE. I will say that I will be ready to proceed at 12 o'clock to-morrow, and I think the Senator ought to allow the Senate to take a recess until that hour.

Mr. MOSES. Mr. President, the general understanding, as I recall, was that the sessions of the Senate this week were to go on as is.

Mr. BORAH. That is all I am asking.

Mr. MOSES. That the Senate should meet at 12 o'clock and proceed until half past 4 or 5 o'clock.

Mr. BORAH. There was no half past 4 o'clock about it.

Mr. MOSES. Then, until 5.

Mr. BORAH. Yes.

Mr. MOSES. Very well; until 5 o'clock. The Senator from Maine having a speech the delivery of which he does not wish interrupted after half an hour is asking that that half hour be abandoned for to-day. I have no objection, even if the Senator from California has, to meeting at 11 o'clock next week. I simply want what I understood to be the general agreement, namely, that we were to go forward this week as is, to be carried out.

Mr. BORAH. That is what I want to do. The Senator talked to me for an hour yesterday about "as is," and what I am asking is precisely what he says we ought to do.

Mr. ROBINSON of Indiana. Mr. President, I should like to ask the Senator from Idaho, Why the unnecessary haste? As a matter of fact, let us be fair in this matter. There has been no attempt to filibuster, as I understand. Every speech has been interrupted after half an hour is asking that that half hour be abandoned for to-day. I have no objection, even if the Senator from California has, to meeting at 11 o'clock next week. I simply want what I understood to be the general agreement, namely, that we were to go forward this week as is, to be carried out.

Mr. BORAH. Mr. President, I am simply trying to carry out what was the full understanding yesterday, that this week we should run from 12 to 5. That is all I am trying to do; and that was the full understanding.

Mr. President, I move that the Senate take a recess until to-morrow at 11.30 a. m.

The VICE PRESIDENT. The question is on the motion of the Senator from Idaho.

The motion was agreed to; and (at 4 o'clock and 32 minutes p. m.) the Senate took a recess until to-morrow, Friday, July 11, 1930, at 11.30 o'clock a. m.

SENATE

FRIDAY, July 11, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 11.30 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Goldsbrough	McNary	Shortridge
Black	Hale	Metcalf	Smoot
Borah	Hastings	Norris	Stephens
Capper	Hatfield	Nye	Sullivan
Caraway	Hebert	Oddie	Swanson
Caugens	Johnson	Overman	Thomas, Idaho
Dale	Jones	Patterson	Townsend
Deneen	Kendrick	Phipps	Trammell
Reed	Keyes	Reed	Vandenberg
George	McCulloch	Robinson, Ark.	Welsh, Mont.
Gillett	McKellar	Robison, Ky.	Watson
Glenn	McMaster	Sheppard	

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota (Mr. NORRICK) is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROC] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from Florida [Mr. FLETCHER], the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASE] are detained from the Senate by illness in their families.

Mr. NORRIS. I desire to announce the unavoidable absence of the junior Senator from Wisconsin [Mr. BLAINE]. I ask that the announcement may stand for the day.

Mr. NYE. I desire to announce the necessary absence of my colleague the senior Senator from North Dakota [Mr. FRAZIER]. I ask that this announcement may stand for the day.

Mr. SWANSON. My colleague the junior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. McNARY. I wish to announce that my colleague the junior Senator from Oregon [Mr. STEINER] is absent on account of illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Forty-seven Senators have answered to their names—not a quorum. The clerk will call the names of the absentees.

The Chief Clerk called the names of the absent Senators.

Mr. SIMMONS and Mr. HOWELL entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present.

LETTER FROM A GOLD-STAR MOTHER

Mr. METCALF. Mr. President, I have here a very beautiful letter from a gold-star mother, who recently returned from Europe. The letter expresses her appreciation of the opportunity afforded by the Government to visit the grave of her son in France. I ask that the letter be printed in the RECORD. There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HARRISVILLE, R. I., July 9, 1930.

Senator JESSE H. METCALF,
Washington, D. C.

HONORABLE SIR: My recent voyage to my son's grave in France was a most happy and profitable one. I say happy. By that I mean that I was overjoyed to be able to take advantage of this most wonderful opportunity at last to see the grave of my son who gave his life for his country.

It was very gratifying to see the wonderful fields in which our sons are buried. There was nothing left undone. Nothing could have been more wonderful than the pride I felt, and that I am sure all the gold-star mothers have felt and will feel, to know that their sons lie in such a beautiful resting place.

It may seem strange to you or to anyone that one could be so happy to take such a sad journey. It was sad, but the sadness was overwhelmed with pride.

I received your "bon voyage" telegram, and I wish to thank you from the bottom of my heart for your thoughtfulness.

This trip planned by the Government was complete in every detail. The food, accommodations, etc., could not have been better. Our guides were most thoughtful and patient. We were very thankful for all the little souvenirs given to us; for the wreaths and flags given to us to place on the graves of our sons; thankful for everything that was done to make us feel at home.

I can truly say that this trip which the Government has planned for every gold-star mother, to repay her in a measure for the sacrifice of her son's life, is more than appreciated and one which will never be forgotten.

May I thank you once more for your kind telegram, and through you may I thank the United States Government and all those who had any hand in making this trip a successful one. You may all rest assured that you will be remembered in my prayers always.

I sign myself a gold-star mother who is happy to have been able to visit her son's grave after many long years of loneliness.

Respectfully yours,

Mrs. LENONIC TATRO.

LONDON NAVAL TREATY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. HALE. Mr. President, I desire at this time to address the Senate on the London naval treaty. My remarks will be somewhat lengthy, and I shall ask Senators not to interrupt

me until I conclude. Then I shall be glad to answer any questions I may be able to answer.

I have had prepared by the Bureau of Ordnance of the Navy Department two models, built on the same scale, one showing two 6-inch guns with their turret, and the other three 8-inch guns with their turret. These models I have had placed on the floor of the Senate as exhibits, and I have had placed with them one 8-inch-gun shell and one 6-inch-gun shell.

Mr. President, under the Constitution of the United States it is the duty of Congress to provide and maintain a Navy, and it is the duty of Congress to see that an adequate Navy is maintained. We maintain a navy to support our foreign policies, to protect our commerce, and to guard our possessions at home and abroad. The Navy is the first line of defense of the country. To the minds of many people the word "defense" in this connection suggests a force which will prevent any hostile force from landing on our own coasts or those of our insular possessions. As a matter of fact, a navy that could accomplish no more than this would prove a very inadequate navy and would fail entirely in the ultimate purpose for which we provide a navy, and that is to bring a war to a successful conclusion.

Our foreign commerce amounts to nearly \$10,000,000,000 per year. That foreign commerce could be almost entirely destroyed should our Navy content itself with the prevention of invasion of our territory. Such a war, depending for its conclusion on the actual engagements of the rival fleets of the countries at war, might continue indefinitely, since neither country would want to engage at a disadvantage, and an inglorious peace without the two navies coming to grips might well come about. Such a rôle the Navy of this country never has and never will be satisfied to play, and the people of this country never will be satisfied with any such service.

When war is declared the Navy becomes at once not only an instrument of defense against invasion of our shores but an instrument of offense, and its rôle is to drive the enemy off the seas, destroy the enemy commerce, capture its outlying possessions, and force the war to a conclusion. This is why the Navy must at all times be prepared for instant active service, so that it may strike at once, and strike effectively.

When the Navy is wanted it is wanted at once. It is a fine thing for a country to have great resources, but great resources will not build a navy overnight. Under no circumstances, according to past experience, can a battleship or an aircraft carrier or a cruiser be built in less time than two and one-half years, and a submarine in less than two years. Destroyers alone, according to our experience in the World War, can be built in quantity in a much shorter time. The results of this rapid destroyer construction during the World War were not satisfactory, but the ships were turned out. At the time of the armistice we were spending close to a billion dollars a month. Two or three years to wait for the building up of a proper navy after hostilities start is apt to be an expensive luxury. The cost of one month of such a war as the last one if expended for additional ships would give us a navy that would be a sure guaranty that there would be no war.

Whatever anyone may feel about the dangers of competition in world armament, and about the effectiveness of treaty measures that will prevent wars, no one with a spark of patriotism or regard for his country in his make-up will want to see this country, should we by any means be forced into a war, faced with a situation where our Navy is not adequate. When war actually comes every ship of the Navy will be a probable asset to win, and failure to provide in time of peace adequate preparation for possible war will bring down on our heads the just scorn of our people.

Naval strength is and always has been relative. The naval needs of a country are based on the naval strength of possible antagonists. If other countries keep their naval establishments within reasonable limits, there is no reason why the United States can not do the same; and we have always been willing to do so. We have encouraged attempts to limit naval armament and to bring about treaties for the prevention of war, but if we are to exist as a nation, we must see to it in any limitation of armament that may be brought about that our interests are as well looked after as the interests of other countries, and that we do not, for the purpose of reaching an agreement, sacrifice our right to live. Until treaties outlawing war have proved to be effective, and until the rest of the world has given unquestioned evidence that it intends to abide by such treaties, we have no right to jeopardize our own national interests by relying on such treaties to the extent of weakening relatively our national defense, we have no right to gamble that there will be no future wars. That I fear is precisely what we are doing when we subscribe to the London treaty now before us.

During the years prior to the World War, Germany in her struggle for world dominion built up in every way within her

power her land and sea forces. Her purpose in so doing was manifestly to prepare herself for the specific purpose of making war on other countries, and not for the purpose of defending herself from attack from any other country or countries by whom she might be menaced.

So much suffering came out of the World War, so much destruction was wrought by it, that a very prevalent feeling has sprung up throughout the world that the keeping up of great armies and navies by a country must indicate a purpose on the part of that country to carry on an aggressive war for some particular purpose of its own.

The pacifists of the world especially have used this argument to aid their cause in attempting to stop military and naval preparedness.

As a matter of fact the possession of sufficiently large military and naval establishments, in the hands of a country that does not wish to fight, is the most powerful safeguard that that country can have to keep it from being warred upon and is a real stabilizing force in keeping the peace of the world.

The menace of great armaments is based entirely upon the purposes for which those armaments are to be used. If a country is normally a peaceable country, and its interests are manifestly the maintenance of peace in the world, possession of a powerful navy by that country instead of being a menace to the peace of the world is the most powerful upholder of peace that can be had. The greater the armament of any such peaceable power the less chance is there that other nations will attempt to enter into competition with it, and the less chance there is of interference with its legitimate national interests by other nations.

Conversely, if armament is cut down to so low a figure that competition is within the pecuniary power of other nations that competition will inevitably spring up, and new nations who might have been kept out of the field by the impossibility of successful competition will enter the field with renewed hope.

Be that as it may, such was the feeling in the world against war and the expenditures of war that shortly after President Harding came to the White House, in 1921, he called a conference of the five naval powers of the world—Germany being then out of the running—for a limitation of naval armament.

Mr. President, to get a clear idea of the naval situation in the world at that time it is necessary to go back to the days immediately prior to the World War. At the time of the outbreak of the World War Great Britain was the undisputed mistress of the seas. The six major naval nations of the world, in the order of their naval importance, were Great Britain, Germany, the United States, France, Japan, and Italy. The Russian fleet had been greatly reduced by the disastrous Russo-Japanese War, and the Spanish fleet had never recovered from the war with us in 1898.

The British Navy, at the commencement of the war, was, in general, up to date, modern, and well equipped, though it had, as all navies have, a surplusage of old ships. The German Navy, although not including as many vessels as the British navy, was also modern and up to date, and was ever increasingly threatening British dominion of the seas. Our own Navy was carrying along with a certain amount of annual new construction, and heavily loaded with ships of a more or less obsolescent type. The French and Italian Navies were in a worse condition than our own, and the Japanese Navy was in little better condition than ours.

The first two years of the World War, and the shutting in of the powerful German Navy by the still more powerful British fleet, served as an eye opener to us in regard to the importance of naval preparedness in modern warfare. Realizing the paramount importance of a strong navy in the turbulent times which must succeed the close of the World War, in August, 1916, President Wilson recommended to Congress, and Congress authorized, the so-called "1916 building program," providing for the construction of 157 new ships of various types, including 10 very large and powerful battleships and 6 battle cruisers. No specified time was set for the completion of the program, but its authorization was given by the Congress, and it was the generally accepted view of the Congress and of the country that the program would be carried out in its entirety.

When President Harding came to the White House in March, 1921, we had on the ways and building as a part of this program 9 battleships—3 of them of a tonnage of 32,600 tons each, 6 of a tonnage of 43,200 tons each—and 6 battle cruisers of a tonnage of 43,500 tons each. The average stage of completion on the battleships was 43 per cent, and on the battle cruisers 16 per cent.

The other vessels of the program, with the exception of 9 submarines, 12 destroyers, and 1 experimental submarine—

known as the Neff submarine—had already been constructed or were in the process of construction.

With this powerful fleet due for early completion, and with the probability that if completed we would round it out with an adequate number of auxiliary vessels of various types, the dominion of the seas was clearly about to be transferred from Great Britain to ourselves.

British supremacy on the seas started with the destruction of the great Spanish armada during the reign of Queen Elizabeth. From that time except for a short period of rivalry with the Dutch she has held the dominion of the seas, but that dominion has been by no means unchallenged. Numerous attempts have been made to wrest that supremacy from her, but in every case the result has been failure.

In the reign of the Stuarts, a powerful Dutch fleet sailed up the Thames and burned a part of the English fleet. The Dutch were finally defeated, and Holland has never since been a major factor in sea power.

During the reign of Louis XIV, France made an attempt to wrest the control of the seas from England, but her hopes vanished when the French fleet, under Tourville, was annihilated off Cape La Hogue.

During the reign of Napoleon another attempt was made by France to get the control of the seas, but the Battle of the Nile and the Battle of Trafalgar brought ruin to the hopes of France in that direction.

At the time of the outbreak of the World War, Germany had built up a formidable navy, and again the supremacy of Great Britain on the seas was threatened. The World War and the destruction of the German fleet put an end to German hopes of sea control.

Though no conclusions were tried out with Great Britain in the period following the Civil War, our own fleet at that time had reached a strength which seriously menaced British control of the sea; but, as has always happened to us in periods following wars, our Navy was allowed to deteriorate, and in a very short time Great Britain again forged to the front.

The laying down of the 1916 American program was the last serious menace to British sea control. Had we carried out the program and rounded it out with the necessary auxiliary ships, on its completion we would have had a navy powerful enough in all probability to have withstood all of the navies of the world then in existence, combined, and so immeasurably superior to the navy of any other power that without inordinate, and at that time entirely impossible expenditures, a navy impossible for any other country to build up to. The finishing up of this program would have cost us a great deal of money, and the carrying on of the navy that we would have then had would have been a source of very considerable annual expenditures, but we would have had a navy powerful enough to have controlled the seas, to have secured us absolutely from any attack by sea, and to have guaranteed protection to our outside possessions, our national interests, and our commerce.

With the results of the Washington conference we are all familiar. We voluntarily gave up our naval supremacy. We scrapped 465,800 tons of new construction on which \$150,000,000 had up to that time been spent. We gave up all of our great battleships, which were in a stage of completion averaging 43 per cent, except two of the smaller ones. We gave up our invincible battle cruisers, with the exception of two, which were later converted into aircraft carriers. We gave up the right to fortify and develop our island bases in the Pacific, and, in return for all these sacrifices, we secured a basis of limitation on capital ships and carriers of 5 to 5, or an equality with Great Britain; 5 to 3 with Japan, and 5 to 1.67 with France and Italy on capital ships, and 5 to 2.22 on carriers. We made an attempt to apply the same ratio to other combatant vessels, including cruisers, destroyers, and submarines, but were unsuccessful in bringing this about on account of the refusal of the French to accept a limitation in auxiliary craft and submarines, which, in turn, prevented the British from entering into an agreement. The British and the Japanese were, as we supposed at the time of the conference, willing to accept the treaty ratio of 5-5-3 on all auxiliary vessels, and to accept a limitation on surface vessels of 450,000 tons, but later it developed, through a statement by Mr. Balfour in 1927, that the parity which they were willing to concede to us in auxiliary vessels, with its limitation as to tonnage, was merely a parity for combat vessels to be used with the fleet, and they had no intention of including in the limitation the vessels to be used to guard their lines of communication or for the protection of their commerce or the raiding of enemy commerce. In other words, even as early as 1922 the only parity they were willing to give us was parity for fleet combat, which is only one of the purposes for which a country keeps up its sea power. The sacrifice made at the Washington

conference was almost wholly on our part. We sacrificed the newest, latest, most powerful ships of war ever conceived in the world, and well along toward completion, whereas Great Britain and Japan scrapped practically nothing but old battleships, which in all probability would have been scrapped had no conference taken place, on account of the unwarranted expense necessary to keep them in commission.

Probably no such sacrifice has been made by any other nation in the history of the world, and it was undoubtedly our hope and belief, when subsequent conferences should be called that the other naval powers would consent to limit the other classes of ships which were not taken care of at the Washington conference, and that a similar spirit of sacrifice would be shown by the other nations, parties to the conference.

As a result of the conference we were left with a capital ship force of 18 battleships, aggregating 500,650 tons; with the right to replace at once the oldest 2 of the battleships with 2 modern battleships of the building program which were nearly completed coming within the treaty tonnage of 35,000 tons. Great Britain retained 22 capital ships, aggregating 580,450 tons, 18 of which were battleships and 4 battle cruisers, with the right to replace at once the oldest 4 of the battleships with 2 new modern battleships coming within the treaty tonnage of 35,000 tons.

Japan retained 10 capital ships, 6 battleships and 4 battle cruisers, of a tonnage of 301,320.

France retained 10 capital ships of a total tonnage of 221,170, and Italy 10 capital ships aggregating 182,800 tons. This arrangement provided for a capital fleet for each of the powers signatory to the treaty according to the terms of the ratio, and further provided for a replacement program to be begun in the year 1931, whereby when existing ships should go out of commission on account of age they should be replaced with vessels of a specified tonnage. At the close of the replacement program, Great Britain and the United States were each to have 15 capital ships of an aggregate tonnage of 525,000 and Japan 9 of an aggregate tonnage of 315,000. France and Italy each an aggregate of 175,000 tons though without specification as to the numbers of ships in the capital category.

The make-up of the retained capital fleets was arrived at on the basis of tonnage, speed, age, fighting power, armament, and general effectiveness.

The officers of our Navy were supposed to be familiar with the British ships, and their officers were supposed to be familiar with ours, and, to a lesser extent, the same was true about the Japanese ships. Subsequent developments have shown that we were out-traded even in the make-up of the capital ship quota left to us. The *Rodney* and the *Nelson*, two ships of the British Navy built since the Washington conference, have turned out to be far more powerful than was expected, and at the present time the British capital ship force is a stronger capital ship force than our own.

The Japanese at the Washington conference insisted on a ratio of 10-10-7 with us and with Great Britain. They reluctantly consented to accept a ratio of 10-10-6 on the express promise by Great Britain, the United States, and France not further to develop or fortify their island possessions in the Far East.

It is claimed that we did get other advantages out of the conference; that one of the results of the conference was the breaking up of the Anglo-Japanese alliance. Whether or not England would have continued that alliance in view of the opposition of some of her colonies is open to question.

We did get a treaty providing for an open door in China and for territorial integrity for China.

We may have gotten some slight advantage out of the agreement by France, Great Britain, and Japan not further to fortify their island possessions in a restricted area in the Pacific, but such an advantage was in no way commensurate with what we gave up in regard to our island possessions.

But the outstanding advantage that we got from the Washington conference was the establishing of the 5-5-3 ratio on which Mr. Hughes made the following comment shortly after the signing of the treaty:

This Government has taken the lead in securing the reduction of naval armament but the Navy that we retain under the agreement should be maintained with efficient personnel and pride in the service. It is essential that we should maintain the relative naval strength of the United States. That in my judgment is the way to peace and security. It will be upon that basis that we would enter in future conferences or make agreements for limitation and it would be folly to undermine our position.

The navy that we retained after the Washington conference gave us in battleships, as far as Great Britain and Japan were concerned, what at that time was considered substantial equality with Great Britain, and a ratio of 5-3 with Japan. Since no agreement was reached as to auxiliary ships, each power had in

its navy its existing ships in the other categories with no limitation prescribed for future building.

In this country the general feeling was that a further conference would shortly be held at which the Washington conference ratio would be applied to the other classes of combatant vessels; and while there was no actual agreement to do so, our people hoped and believed that the building programs of other countries would have this end in view.

In the cruiser class, we had no modern ships of any description except the ten 6-inch-gun ships of the *Omaha* class, which were then in process of building and which aggregated in standard tonnage 70,509 tons.

Great Britain had a great cruiser fleet of fast, modern 6-inch-gun vessels, and five 7½-inch-gun ships of the *Hawkins* class, three of which had been built and two of which were in process of construction, one of these cruisers was later sunk off the coast of Canada. Her aggregate tonnage was 300,800 tons built and building.

Japan had 86,800 tons of fast, modern 6-inch-gun cruisers, built and building. France had 22,000 tons built and about 22,000 appropriated for but not laid down. Italy had 37,058 tons built.

In this very important class of ships, we were manifestly far below the ratio basis of the Washington treaty.

In destroyers, due to the fact that we had built up a great surplusage of these vessels for antisubmarine work in the World War, we were far ahead of any other country.

In submarines we had a superiority, as far as the ratio was concerned, over the other powers, but a considerable portion of our tonnage was in small submarines which were not satisfactory and manifestly never would be replaced in kind.

For two years we laid down no new construction in our Navy, and contented ourselves with finishing the cruisers of the *Omaha* class and the two aircraft carriers provided for in the Washington treaty. The accepted American belief was that if we did not build other nations would not build.

From 1922 to the time of the calling of the next conference on limitation, the Geneva conference, we laid down but very few vessels.

Mr. President, I ask leave to insert in the RECORD a list of the combatant vessels laid down by this country during that period, and by the other four nations parties to the Washington conference. From this list it will be seen that our viewpoint, that if we did not build other countries would not build, was utterly fallacious. Limitation being imposed in capital ships, the most vigorous competition was entered into by all the other powers in the classes of ships not limited.

The VICE PRESIDENT. Without objection, it is so ordered. The table referred to is as follows:

Table showing combatant vessels (exclusive of those exempt from limitation under London treaty) laid down or appropriated for from February 6, 1922, to October 1, 1927

UNITED STATES						
Type	Laid down		Appropriated for		Total	
	Number	Tons	Number	Tons	Number	Tons
Capital ships.....						
Aircraft carriers.....	2	166,000			2	166,000
Cruisers:						
Over 6.1 inches.....	8	180,000			8	180,000
6.1 inches or less.....						
Destroyers.....						
Submarines.....	3	8,120			3	8,120
Mine layers.....						
Aircraft tenders.....						
BRITISH EMPIRE						
Capital ships.....	2	167,400			2	167,400
Aircraft carriers.....	2	145,000			2	145,000
Cruisers:						
Over 6.1 inches.....	14	138,400	1	8,400	15	146,800
6.1 inches or less.....						
Destroyers.....	2	2,324	9	12,160	11	14,484
Submarines.....	9	12,864	6	8,850	15	21,714
Mine layers.....	1	6,740			1	6,740
Aircraft tenders.....	1	5,000			1	5,000

¹ Laid down as applied to these aircraft carriers denotes that their conversion from other types of vessels was undertaken, i. e., United States converted 2 battle cruisers, British Empire converted 2 cruisers, Japan converted 1 battleship and 1 battle cruiser, and France converted 1 battleship.

² Contracts for 6 of these vessels were let in April and June of 1927, and material was being assembled but keels were not laid until 1928.

³ These 2 British capital ships, *Nelson* and *Rodney*, were specifically scheduled to be laid down by the Washington treaty, and on their completion 4 battleships were scrapped.

⁴ These vessels are listed as "special" vessels in London treaty and may be retained, but if they are replaced, the characteristics of such replacements must conform to those laid down for the exempt classes or they must come out of the allowed combatant tonnage.

Table showing combatant vessels (exclusive of those exempt from limitation under London treaty) laid down or appropriated for from February 6, 1922, to October 1, 1927—Con.

Type	Laid down		Appropriated for		Total	
	Number	Tons	Number	Tons	Number	Tons
JAPAN						
Capital ships						
Aircraft carriers	2	13,800	1	7,600	3	61,400
Cruisers:						
Over 6.1 inches	10	88,400	2	20,000	12	108,400
6.1 inches or less	4	18,475			4	18,475
Destroyers	37	48,680	14	23,800	51	72,480
Submarines	27	37,539	6	10,139	33	47,678
Mine layers						
Aircraft tenders						
FRANCE						
Capital ships						
Aircraft carriers	1	12,146			1	12,146
Cruisers:						
Over 6.1 inches	4	40,000			4	40,000
6.1 inches or less	3	21,747			3	21,747
Destroyers	31	49,662	7	12,816	38	62,478
Submarines	32	29,213	15	14,993	47	44,206
Mine layers			1	4,774	1	4,774
Aircraft tenders	1	10,000			1	10,000
ITALY						
Capital ships						
Aircraft carriers						
Cruisers:						
Over 6.1 inches	2	20,000			2	20,000
6.1 inches or less			4	19,584	4	19,584
Destroyers	28	36,164			28	36,164
Submarines	15	14,655	6	4,854	21	19,509
Mine layers						
Aircraft tenders			1	4,880	1	4,880

¹ Laid down as applied to these aircraft carriers denotes that their conversion from other types of vessels was undertaken, i. e., United States converted 2 battle cruisers, British Empire converted 2 cruisers, Japan converted 1 battleship and 1 battle cruiser, and France converted 1 battleship.

² These vessels are listed as "special" vessels in London treaty and may be retained, but if they are replaced, the characteristic of such replacements must conform to those laid down for the exempt classes or they must come out of the allowed combatant tonnage.

Mr. HALE. When in 1924 the Japanese started building 8-inch-gun ships and the British followed with a very considerable 8-inch-gun ship program, we authorized in December of the same year the building of eight 8-inch-gun cruisers. Owing to changes in the plans of these vessels, but five of these vessels are as yet in commission.

In the summer of 1927 President Coolidge summoned the Geneva conference, in which Great Britain, Japan, and the United States took part as principals and France and Italy as observers. Thorough preparations were made for this conference. The General Board of the Navy, as it had previously done at the Washington conference, made careful studies of all points that might come up in the conference, and they were in constant touch before and during the conference with our delegation.

The General Board took the ground that relativity was very important in reaching a limitation of armament, and that they were willing to go as low as the greatest other naval power concerned in any class of ships as long as the ratio of the Washington conference was kept up. The figures submitted by our delegation at the Geneva conference and approved by the General Board in the cruiser category were from 250,000 to 300,000 tons. The British never came within striking distance of those figures. They insisted on keeping as many as 70 cruisers, and their lowest tonnage figure was 425,000 tons, and 25 per cent of that tonnage had to be of a type of older cruisers of which we had none in our Navy of any practical value, and therefore parity could not be reached by us.

The Japanese asked for a ratio of 10-10-7, but were not especially insistent upon their demand, and the reason that the conference failed was that we were unwilling to consider the exorbitant figures offered by the British and they were unwilling to come down to our figures.

The British further demanded that a limitation should be placed upon the numbers of cruisers of a larger class than the 6-inch-gun cruiser, thereby bringing themselves into conflict with the American position. The American position has always been that we should have the right, within the limitations of the category, to build any type of ship within the said limitations that we saw fit, and the Japanese concurred at that

time with the American viewpoint. To this demand of the British we could not consent.

Again, as at the Washington conference, the British expressed themselves as willing to agree to parity with the United States in auxiliary vessels, but again it developed that the parity to which they were willing to subscribe was to be a fleet-combat parity, with certain modifications of the position taken by them at the Washington conference. At the Geneva conference they were willing to accept an actual parity of tonnage with the United States in all classes of combatant ships, but the tonnage was to be so based that they were to retain possession of supremacy of the seas in everything but supremacy of their fleet in an actual fleet engagement with our fleet, an engagement which in the event of war might well never take place, and this was to be brought about by forcing on us the acceptance of types of ships least able to challenge that supremacy and placing the greatest restriction possible on types which might successfully challenge that supremacy.

The naval policy of the United States, approved in 1922 by President Harding and later by President Coolidge, had in so many words declared that we should hereafter build 8-inch-gun cruisers exclusively. This was in conformity with American naval opinion at the time of the Geneva conference. It was felt by us that on account of our widespread foreign commerce, our long lines of communication which must be protected, and our lack of naval bases we should build only cruisers of the largest and most powerful type allowed under the provisions of the Washington treaty.

The British, on the other hand, on account of their numerous naval bases, commanding as they do practically all of the lanes of commerce, and providing as they do repair and fuel facilities in all quarters of the world, felt that their needs were better met by large numbers of cruisers of a smaller size. An impasse was reached and the conference broke up without accomplishing anything, although it was evident that an agreement could have been reached on a limitation of destroyer and submarine tonnage.

After the failure of the Geneva conference the Secretary of the Navy sent to the Congress, with the approval of the President, for its authorization a construction program for the next five years covering our national needs as based on the probable building programs of Great Britain and Japan, the Geneva conference having failed. The program provided for the construction of 25 cruisers, 9 destroyer leaders, 32 submarines, and 5 aircraft carriers at a cost of about \$800,000,000. Included in this amount were the necessary appropriations to take care of the replacements of battleships up to the close of the year 1933 under the provisions of the Washington treaty, and also certain replacements of destroyers and submarines becoming obsolete during that period. It was practically a notification to the world that the Geneva conference having failed, the United States meant to build up to its needs as based on the probable programs of Great Britain and Japan.

The Congress cut this program down to 15 of the treaty cruisers and 1 aircraft carrier of 13,800 tons, provision for which was made in the cruiser bill passed in February, 1929. Under the terms of the cruiser bill the provision was included that all of these vessels should be started before the end of the fiscal year 1931. The passage of the cruiser bill was an indication to the world that the United States really meant to build up its Navy, and undoubtedly was largely instrumental in bringing about the London conference.

In the early summer of 1929, after numerous conferences between our representatives and those of Great Britain, negotiations were started to bring about a further conference on limitation of armament in the winter of 1929 and 1930. Many communications were exchanged between the two Governments during the summer and fall of 1929, and finally the London conference was called to include all five powers parties to the Washington treaty. The call was issued by the British Prime Minister, Mr. MacDonald. During the summer through the State Department Great Britain and this Government had attempted to arrange a basis of settlement on all ships other than capital ships and carriers, but no actual agreement prior to the convening of the London conference we are told had been made. The stumbling block which prevented the reaching of a preliminary agreement was the cruiser situation. The British with the consent of their admiralty gave as their absolute minimum the exact figures, that are embodied in the London treaty. This involved a cutting down in their aggregate number of cruisers from the 70 asked for at the Geneva conference to 50. Our Navy Department still insisted that equality of tonnage in categories should be provided for and that within the tonnage limit of the category any country could build any type of ships that it saw fit to build.

During the summer and early fall of 1929 the State Department was in constant conference with individual officers of the Navy Department and to a very limited extent with the General Board of the Navy, the official advisers of the Secretary of the Navy. Every attempt was made on the part of the State Department, which above all else wanted an agreement, to get the Navy Department and its officials to change their stand in order that an agreement might be brought about.

As a final proposal and solely with the view of bringing about an agreement which would give us a basis of parity with Great Britain in 1936, the General Board of the Navy in a letter dated September 11, 1929, while stating that they much preferred the carrying out of the provisions of the cruiser bill, which would have given us twenty-three 8-inch-gun cruisers and the 10 existing cruisers of the *Omaha* class, stated that they yet would accept as a basis of parity at the close of the year 1936 twenty-one 8-inch-gun cruisers of 10,000 tons each, aggregating 210,000 tons; ten 6-inch-gun cruisers of the *Omaha* class, aggregating 70,500 tons, and 35,000 tons of new 6-inch-gun cruisers—this to meet the British cruiser quota of fifteen 8-inch-gun cruisers, aggregating 146,800 tons, and thirty-five 6-inch-gun cruisers, aggregating 192,200 tons, the exact figures embodied in the London treaty, our final aggregate tonnage to be 315,500 tons and the British 339,000 tons.

During the course of the negotiations an attempt had been made by us to work out a yardstick plan whereby 6-inch-gun cruisers could be evaluated in terms of 8-inch-gun cruisers, so that either country could build the type of cruisers it saw fit to build, but save in the proposal of the General Board in its letter of September 11, where a lesser tonnage in the total of our category was to be accepted by us on account of our preponderance of 8-inch-gun ships, the plan was never put into execution and no fixed basis of evaluation was ever agreed upon by the two countries.

After its letter of September 11 and the ultimatum insisted upon by it, the General Board of the Navy ceased to be a factor in the situation. Admiral Jones, who stood with the General Board, and whose advice had been sought as to the application of the yardstick method and as to the American position in general and the needs of its Navy, to a large extent was eliminated from the picture. The State Department sought the advice of individual officers of the Navy, whose views were not the prevailing views of the Navy as expressed by the General Board. Prominent among these were Admiral Pratt, commander in chief of the United States Fleet, and Rear Admiral Hepburn, his chief of staff.

The former had been one of the naval advisers at the Washington conference, and, as the evidence before the Naval Affairs Committee shows, his views as expressed in a communication to the Secretary of the Navy in 1925 and as further expressed before the Appropriations Committee of the Senate in 1928 were entirely in accord with the prevailing opinion of the Navy on the question of the value of the 8-inch-gun cruisers to the national defense of this country. Rear Admiral Hepburn, who had been one of the technical advisers at the Geneva conference, was a well-known advocate of the 6-inch-gun cruiser. After the calling of the conference had been agreed upon and the delegation selected, Admiral Pratt and Admiral Jones were named as the American naval advisers. The technical advisers to accompany the naval advisers were Rear Admiral Pringle, president of the War College; Rear Admiral Yarnell, Chief of the Bureau of Engineering; Rear Admiral Hepburn, chief of staff to Admiral Pratt; Rear Admiral Moffett, head of the Bureau of Aeronautics; Captain Smyth, Assistant Chief of the Bureau of Ordnance; Captain Van Keuren, of the Bureau of Construction and Repair; and Commander Train, on duty with the General Board.

The evidence before the Naval Affairs Committee shows that as a body the officers and experts were very little consulted at the London conference. No attempt was made to keep in touch with the General Board of the Navy, nor was its advice asked as a body in any way after its letter of September 11. Neither was it requested nor allowed to prepare papers giving its opinion on matters which must inevitably come before the conference. The Geneva conference having failed because our delegates, thoroughly familiar as they were with the best naval opinion and backed by an administration which was willing to support that naval opinion, the London conference, as stated by Ambassador Dawes in his speech before the Pilgrim Society in London in May, 1929, was to be a conference of statesmen who would find ways and means of reaching an agreement regardless of informed naval opinion. To lend color to the supposition that naval opinion had not been ignored, a certain number of naval officers were taken over with the delegation, but the advice of those who fell in with the preconceived ideas of

the statesmen was the only advice taken on the crucial questions before the conference.

Admiral Jones, one of the two official advisers of the United States, returned to this country on account of illness early in March. Before leaving London he made a formal protest to the American delegation against the proposal submitted to the British to cut down the number of our 8-inch-gun cruisers below the figures submitted by the General Board. He was never in any way consulted about the raising of the Japanese ratio. Neither Rear Admiral Pringle, Captain Smyth, nor Commander Train ever expressed any approval of the cruiser figures embodied in the London treaty, and the former formally expressed his disapproval to the delegation before the plan was made. None of these officers were in any way consulted about the raise in the Japanese ratio and all of them have since, before the Naval Affairs Committee of the Senate, registered their view that the said raise was not compatible with the national security of the country. Neither, as the evidence before the Naval Affairs Committee will show, were Rear Admirals Moffett, Hepburn, and Yarnell ever consulted in any way about the raise in the Japanese ratio before our offer to the Japanese was made, and yet Secretary Stimson informs us that though there were certain differences of opinion on minor matters there were an ultimate unanimity and loyalty on the part of the American body of naval advisers.

The primary object of the London conference was to bring the five great naval powers of the world together to reach an agreement reducing and limiting their naval armaments, and thereby to relieve the world of what has been regarded by many people as being an unnecessary financial burden.

Our people anticipated—

In the language of Senator Robinson, one of the American delegates in a speech delivered at the luncheon of the Association of American Correspondents, at London, on February 19, 1930—

the extension of the arrangements in the Washington treaty for capital ships so as to establish the same relation, substantially, between the United States, Great Britain, and Japan in cruisers, destroyers, and submarines, as now exists with regard to capital ships.

It was felt that if these five nations could come to an agreement, for a certain period, at least, it would be improbable that any other outside nation could build up her navy so that she might become a probable factor in the situation.

The conference, to be a success, must reach an agreement involving all five of the attending nations, and a fixed ratio must be reached on which all five countries could base their future naval programs.

From a very early period in the conference it became evident that owing to the demands of Italy for parity with France, which France was unwilling to permit, and the avowed intention of the latter country to build up a powerful navy that these two countries could not adjust their differences and would not become parties to any treaty that might be negotiated limiting ships other than those limited under the Washington conference. When finally this proved to be the case the delegates of Great Britain, Japan, and the United States, feeling that a treaty of some description must be brought back to their respective countries, hit upon the plan of a 5-power treaty, limited, as far as France and Italy were concerned, except in some minor details, to the postponement, with certain exceptions, of the capital-ship program, and binding as to a limitation on the classes of ships not provided for in the Washington treaty on the United States, Great Britain, and Japan.

Had the limitations on the auxiliaries of these three countries been final the result might have been of some value in the cause of limitation of armaments, but, unfortunately, Great Britain, which has never given up the idea of retaining the supremacy of the seas, insisted, in order to keep up a 2-power standard in Europe, to wit, a navy equal in strength to that of any two European powers, upon the insertion of the clause in the treaty known as the escalator clause, which disposes of any final limitation of armament. That clause I shall discuss at a later period in my remarks.

I shall not attempt to analyze the treaty section by section. There are many parts of it to which I would willingly subscribe. I see no objection to the provision whereby Japan scraps 1 battleship, we scrap 3, and Great Britain scraps 5, thus bringing us down to the ultimate figures of 15-15-9 that we would have reached under the terms of the Washington treaty. By this arrangement the Japanese get a somewhat better ratio than they would have had under the terms of the Washington treaty up to the time that they would have had to scrap their tenth ship, but the advantage is not overwhelming, and I would

be willing to let that go, especially as we ourselves are left somewhat better off in respect to our standing with the British.

The saving involved by putting off the replacement of the battleships is not in any sense of the word a real saving. If the battleships are to be later replaced, and God forbid that statesman diplomacy should ever bring about such a calamity over the heads of naval opinion as not to replace them, the postponing of the replacement is analogous to the postponement of the payment of a note and nothing more. The actual amount which would have been spent on the replacement of capital ships up to the close of the year 1936, according to the figures of the Navy Department, is \$283,000,000. Five battleships would have been completed, and five would be under construction. The only saving that is made on capital ships is the saving in the cost of operating the ships to be scrapped until those ships would have been replaced, and that is a matter aggregating something less than \$30,000,000, and much less than that if the scrapping of the ships is not proceeded with at once.

The provisions for exempt classes—vessels of 600 tons and under, vessels of 2,000 tons and under, and the larger auxiliary vessels of the train—are not drawn in a manner that is especially favorable to us and it is possible that with the considerable armament and high speed allowed on some of these vessels a certain amount of competition will later arise, but I do not regard these points as salient in the treaty nor do I object to the clauses providing for ships that are to be put out of commission or kept as training ships or target ships. These matters are not of supreme importance and I dare say they can be explained to the satisfaction of the Senate.

Mr. President, the points to which I most distinctly do object in the treaty are the following:

First. The escalator clause in Article XXI of the treaty.

Second. Denial to the United States of the right to build an adequate number of the type of cruisers that our naval needs so imperatively demand, and the complete surrender to the British of the American position hitherto so strenuously insisted upon for our national security, that the cruiser category shall not be subdivided.

Third. The raising of the Japanese ratio.

ARTICLE XXI

Under Article XXI, the so-called escalator clause, any of the three powers that believes that its national security is materially affected by new construction of any power, other than those who have joined in Part III of the treaty, to wit, Great Britain, Japan, and the United States, may increase its own allotment to meet such new construction. The other two powers are then entitled to make a proportionate increase in the category or categories specified. They shall promptly advise with each other before doing so.

The real purpose of this article is to enable Great Britain, should France and Italy increase their building programs, to increase her own allotment under Part III, in order to keep up a 2-power standard in Europe. Should she do so we may follow along, building in kind; and Japan may do the same, subject to the ratio provided for her. If Great Britain feels that she needs to increase her destroyer forces to take care of new submarine construction by France or Italy, we must follow along and build destroyers that we do not want in order to keep up the treaty parity. In other words, if the British Admiralty decides that Great Britain must build ships of a certain category to keep up the 2-power standard, we must build the ships recommended by the British Admiralty to keep up this standard which we care nothing about, or sacrifice the treaty parity.

As both France and Italy have clearly indicated that they intend to increase their navies, and as Great Britain has insisted that she intends to keep up the 2-power standard in Europe, obviously there is no real limitation of armament by this treaty, and the choice of determining the increase in armament, when it comes about, will lie entirely with the nation that conceives itself to be menaced. Certainly that nation will not be the United States, and we will, if we wish to maintain the treaty parity, have to trail along and build ships that we do not need, or, as I have said, sacrifice any possible parity that we may get under the treaty.

A further objection has been raised to this section in that the word "subcategories" is not specifically referred to. Secretary Adams has testified that, in his opinion, under this section if Great Britain built additional 6-inch-gun cruisers we would be allowed to build 8-inch-gun cruisers. Other witnesses have held that we would be bound to the subcategory increase. The intent of the article obviously should be made clear. In his testimony before the Naval Affairs Committee Admiral Pratt stated that, in view of the contention of the Secretary of the Navy, the meaning of article 21 should obviously be cleared up.

Situated as Great Britain is, a small island a few miles from the mainland of Europe, with a home population of 45,000,000 inhabitants, the English have for many centuries devoted themselves to building up and acquiring colonies all over the world. These colonies serve as a semi home market for the manufactures of Great Britain, as an outlet for her surplus population, and as a reservoir for the food supplies and raw materials needed to maintain the small non-self-supporting home kingdom. To keep up communications with her outlying possessions she has developed a huge merchant marine and has further become the carrier of a considerable portion of the merchant tonnage of the rest of the world. To protect this commerce and to protect her outlying possessions she has established naval bases on the lines of communication with her colonies and on nearly all of the lanes of commerce of the world. The advantages of these naval bases, some of which are strongly fortified, are that in case of hostility she can at all times provide fueling and repair facilities, and in many cases a safe haven for her war ships should she become involved in hostilities with any other nation. Situated as these naval bases are, and giving as they do ample opportunity for refueling, she is not in need of cruisers of large cruising radius for the protection of her commerce or for the destruction of enemy commerce.

The 6-inch-gun cruiser of small size meets all of her requirements for this type of work, provided that it does not have to come up against possible enemy cruisers of greater fighting superiority. Numbers of cruisers rather than size of cruisers is what she needs to meet her requirements. Furthermore, with her huge merchant marine she is at all times provided with a reserve of ships on which she may draw in case of hostilities. All ships over a certain tonnage in the British merchant marine are built so that they may install 6-inch guns on their decks, and her tonnage of ships of 13 knots and over, on which these guns may be mounted, is well over 800,000 tons, and of ships of 15 knots and over 3,235,000 tons. While not having the speed of the cruisers, these vessels are a very powerful addition to the navy of Great Britain, and incidentally in these types of vessels she has three or four times the tonnage that the United States can muster.

As was testified in the hearings before the Naval Affairs Committee, should the capital ship be given up as a weapon of armament the 8-inch-gun cruiser would then become the backbone of the Navy; should the 8-inch-gun cruiser be given up the 6-inch-gun cruiser would become the backbone of the Navy; should all vessels of war be given up the armed merchant vessel would then become the backbone of the Navy. Every step that can be taken to enhance the value of its fighting merchant marine to the country which predominates in that class of ship is a distinct advantage to that country. At the various naval conferences that have been held Great Britain has indicated a readiness to decrease the size of, or even to give up altogether, her capital ships should other nations be willing to do the same, and the reason is obvious. In every way she has sought to limit the numbers of 8-inch-gun cruisers, and the reason is equally obvious. Any agreement that enhances the value of the 6-inch-gun ship is manifestly to her advantage. Her object is to maintain the mastery of the seas, and as naval strength is relative she can retain that mastery equally well and much more economically provided other nations are willing to conform to her plans, with her 6-inch-gun cruisers and with her great merchant marine mounting 6-inch guns.

The United States, on the other hand, has few outlying colonies, practically no naval bases, an enormous foreign commerce, two-thirds of which is carried in foreign bottoms, and a merchant marine which while very considerable in tonnage is very little of it adapted to armed use in time of war.

To appreciate the importance of a country having adequate protection for its commerce and adequate forces to destroy enemy commerce, we have only to turn to the experiences that Germany underwent with her commerce during the World War.

At the outbreak of the World War the German Navy was too weak to support its merchant shipping on the seas. The result was immediately apparent, and almost in the twinkling of an eye German commerce was swept from the high seas. Upon the declaration of war the *Kronprinzessin Cecilie*, which had recently left New York, ran post haste for Bar Harbor, where she was interned. And so it was with all German shipping. Her sea-borne trade ceased except in the Baltic. The cutting off of that trade was for Germany fatal, for it denied her the ability to import foodstuffs and materials necessary for the support of her people and the successful prosecution of the war.

British commerce, on the other hand, continued to flow almost as usual. German raiders for a short time at the beginning of the war captured and destroyed a few British commercial ships but the effect of these raids on the total sea-borne trade of Great Britain was slight, and it was not until Germany began

to employ her submarines against merchant shipping that British commerce was seriously interfered with.

The foreign commerce of the United States—exports and imports—amounts annually to over nine thousand millions of dollars—\$9,219,000,000 in 1928; \$9,641,000,000 in 1929—which is practically the same as the foreign commerce of the United Kingdom—\$9,345,470,000 in 1928; \$9,911,779,000 for 1929. In addition the United States has a great domestic coastal and intercoastal trade which brings our total sea-borne trade up to more than fourteen thousand millions of dollars—\$14,200,000,000 in 1927—less that part of our trade with Canada and Mexico which moves overland. The British Empire also has a considerable intercolonial trade which in 1927 brought her total trade up to \$15,629,000,000, a sum but slightly greater than our own.

For centuries England has realized the benefits that flow from trade and has maintained a great navy for its protection. She has built up sympathy for herself under the plea that control of the seas is vital to her life as she does not produce sufficient food to be self-supporting. It is true that she must keep certain trade routes open that supply certain commodities necessary for her welfare, but so long as she controls the English Channel, the North Sea, and the Mediterranean, she has all of Europe and the East to draw upon for her food supplies. The real reason for England's desire to control the sea is to retain the prosperity that comes from uninterrupted trade.

Uninterrupted trade is for us no less vital than for Great Britain. Our stake upon the sea is practically the same as is hers. Prosperity is as vital for our workmen and farmers as it is for her people. With her far-flung Empire, her widely scattered bases, and her great merchant marine, she has a tremendous initial advantage, and by every means possible is seeking to maintain and to increase that advantage.

Picture for a moment what would happen if our sea-borne trade were cut off. In the early part of the World War while we were still neutral the demand for cotton fell off sharply and a serious economic condition resulted in the South and the plaintive cry, "Buy a bale of cotton," is still remembered there. Suppose that instead of merely one commodity all of our exports were cut off? Our farmers would have on their hands a great surplus of produce with inadequate storage facilities that would force down the price of such produce to a point where it would be less than the cost of production. With manufactured articles the situation would be no less serious. With the export market cut off men would be laid off, the purchasing power of the community lowered, and this would reflect itself in lower wages with all the serious economic ills that follow.

Complacently we picture ourselves as a great self-supporting country almost independent of foreign sources of supply. But such is far from the case. Without rubber our automobiles would be useless.

Shellac is essential to the insulation of electrical machinery, tin is required for the bearings of machinery, manganese is indispensable for the production of steel, and tungsten and vanadium are necessary for certain tool steels widely used in manufacturing.

Coffee and tea may be regarded by some people as luxuries, but all will agree that they are generally essential for the welfare and contentment of our people.

These by no means constitute all of the imports required by us but are merely a few that illustrate that we are not independent of the rest of the world and that for our prosperity and our welfare an uninterrupted trade is vitally essential to us.

The cruiser has two primary uses in the Navy, the one when stationed with the fleet, the other when assigned to dispersed cruiser operation. The work of the cruiser with the fleet is to locate the enemy, to bring in the destroyer attacks through the enemy screen of cruisers and destroyers, and to keep off enemy scouts and protect her own screen against enemy attack.

When on dispersed operation her duties are to protect lines of communication, to protect our commerce throughout the world, and in the event of war to attack enemy commerce.

As I have already stated, for this purpose the British prefer smaller cruisers, provided that other countries can be prevented from building cruisers of superior fighting quality. We, on the other hand, are in exactly the reverse position. Having no naval bases, it is essentially important to us that our cruisers, which must cover extensive areas without refueling, must be of the largest size permissible under the Washington treaty, and that limit is the 10,000-ton cruiser with 8-inch guns. Furthermore, these cruisers, if they are to be of much value to us, must be as heavily armed as is compatible with high speed to protect

themselves against any enemy cruisers that they may chance to meet.

In case of war with any country that has widespread naval bases or with any country where the sphere of operations is certain to be within the vicinity of enemy home bases, our cruisers are certain to come up against massed enemy cruisers. It is highly advantageous to us to have a superiority in this type of cruiser to provide against such massed attack, whether of cruisers of the same type or of the 6-inch-gun type. For our purpose the 6-inch-gun cruiser, according to the nearly unanimous weight of evidence in the Navy, is of very little value for anything but use with the fleet. There, on account of its greater rapidity of fire, the 6-inch-gun ship has a certain advantage over the 8-inch-gun ship for the protection of the destroyer screen, and may for this purpose be slightly more effective, though opinions differ even as to that. But where we are limited in the number of cruisers that we may have, the great preponderance of evidence of naval opinion is that we are better off with the larger, more heavily armed cruiser for all purposes and are justified in taking our chances with that cruiser even for work with the fleet.

The trouble with the provisions of the London treaty is that in making up a basis for cruiser limitation the value alone of the cruiser with the fleet is taken into consideration, and with our great and developing commerce and the outside uses which we will unquestionably have for our cruisers, our interests are manifestly not looked after when we cut down the number of large cruisers that we are permitted to have and take in return an added number of the smaller cruisers which do not meet our naval needs.

The General Board of the Navy, as an irreducible minimum, in order to reach an agreement for parity with the British at the close of the year 1936, did consent to an allotment which would provide for the building of 35,000 tons of new 6-inch-gun cruisers. They did so, however, with the express statement that it was against their better judgment and that the Navy would be better off if we built no new 6-inch-gun cruisers but went ahead with the program provided by law in the so-called cruiser bill, under which we would by the year 1934 have twenty-three 8-inch-gun cruisers and the ten 6-inch-gun ships of the Omaha class, which are now a part of our Navy.

Mr. President, a determined attempt has been made to show that the 8-inch-gun cruiser is a very much overrated ship, and that the 6-inch-gun cruiser is really a more effective type of ship. There is little in the evidence that has come before the Naval Affairs Committee that in any way bears this out. The 8-inch gun is a much more powerful gun than the 6-inch gun. The 8-inch-gun cruisers of certain foreign nations, according to Jane's Fighting Ships, carry 3 inches of deck armor, and 3 to 4 inches of vertical armor over vitals. Against the vertical armor of an opponent the 6-inch gun can penetrate 3 inches of armor at any range up to 13,400 yards; the 8-inch gun at any range up to 29,000 yards. The extreme ranges of the two guns are 28,000 yards for the 6-inch gun, and 35,000 yards for the 8-inch gun. Against 3-inch deck armor the 6-inch gun can penetrate at any range greater than 23,500 yards, up to the limit of its range, and the 8-inch gun at any range greater than 24,600 yards, up to the limit of its range. Neither gun can penetrate 3-inch deck armor under the aforesaid ranges as the trajectory of the plunging fire would not be sufficiently high. The range, therefore, within which the 6-inch gun could pierce 3 inches of deck armor would be from 23,500 yards to 28,000 yards, the extreme range of the gun, or 4,500 yards; while the 8-inch gun could penetrate from 24,600 yards to 35,000 yards, or 10,400 yards.

The sole advantage of the 6-inch gun over the 8-inch gun is in rapidity of fire. It is a hand-loaded gun, whereas the 8-inch gun is a machine-loaded gun, and the latter requires more time to load. Should both guns be operated in the open this advantage would be very material, but under modern construction both types of gun are mounted in armored turrets as protection against shell and airplane attack, and this brings the relative rapidity of fire at short ranges down to one and a half to one in favor of the smaller gun, and possibly two to one at long ranges when the roll of the ship becomes a factor. The great preponderance of naval opinion holds that the 8-inch-gun cruiser better meets our needs than the 6-inch-gun cruiser, and that if we are to build any of the latter we shall limit ourselves to building five of the 6-inch-gun cruisers for use with the fleet. Many of the witnesses who have appeared before the committee have stated that there was no advantage, in their opinion, in building even these five 6-inch-gun cruisers, and that so great is the advantage of the larger ship for every purpose,

except the direct protection of the destroyer screen, that we would not be warranted in building 6-inch-gun ships at all.

The real reason for attempting to magnify the value of the 6-inch-gun ship is that in the treaty we were forced to come to them and an attempted justification of our course is imperative. If 8-inch-gun ships are not valuable ships, why were Great Britain and Japan so extremely solicitous that we should not build them? They surely were not trying to look after our best interests. Our naval officers, almost to a man, prefer the 8-inch-gun ship and after all they are the men who will have to fight the ships. It may be entirely safe for us legislators to send out our fighting men in under-gunned ships, but it certainly is by no means a fair deal to the men who are sent out.

Much has been said about building 10,000-ton ships with 6-inch guns. All naval testimony is to the effect that such a ship, if brought into actuality and not left as a nebulous hope for the future, could readily be destroyed by the 8-inch-gun ship, and certainly could not destroy the latter. Are we justified in framing a treaty based on plans that may never eventuate, and even should they eventuate, are we not better off to have the option to build as we see fit, rather than to bind ourselves by a treaty provision that takes away from us the right to build established types of ships that we know are effective?

One of the main purposes of the treaty, in so far as Great Britain and ourselves are concerned, is to reach a condition of parity by the end of 1936 on which to base the future complements of the two navies in each category of ships.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Maine yield for that purpose?

Mr. HALE. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Hale	Metcalf	Simmons
Bingham	Harris	Norris	Smoot
Black	Hastings	Nye	Stephens
Borah	Hatfield	Oddie	Sullivan
Capper	Hebert	Overman	Swanson
Caraway	Howell	Patterson	Thomas, Idaho
Connors	Johnson	Philips	Townsend
Dale	Jones	Reed	Trammell
Deneen	Kendrick	Robinson, Ark.	Vandenberg
Fess	Keyes	Robinson, Ind.	Walcott
George	La Follette	Robison, Ky.	Walsh, Mont.
Gillett	McCulloch	Schall	Watson
Glenn	McMaster	Sheppard	
Goldsbrough	McNary	Shortridge	

Mr. LA FOLLETTE. I should like to announce the unavoidable absence of my colleague [Mr. BLAINE] and to ask that the announcement may stand for the day.

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present.

(At this point the Senate received a message in writing from the President of the United States by Mr. Latta, one of his secretaries.)

Mr. HALE. Mr. President, to reach this alleged parity we are given two alternatives—the one to build sixteen 8-inch-gun ships during the life of the treaty and two more in the following two years, with a certain tonnage of 6-inch cruisers, and this would manifestly not give us parity during the life of the treaty. The other is to adopt the exact figures which the British conceive necessary to meet their naval needs and which the bulk of our naval authorities inform us do not in any way meet our naval needs. In that way, and that way alone, can we reach parity during the life of the treaty.

Mr. President, the proponents of the London treaty have repeatedly informed us that, as far as the cruiser situation is concerned, there was no difference at London between the British and American delegations excepting a difference over the American allotment of 8-inch-gun cruisers, the Americans asking for three more of these cruisers than were allowed them under the terms of the treaty, and that this difference of three ships was not sufficient cause on our part for refusing to sign a treaty agreement. A statement of that kind shows an entire inadequacy of historical knowledge of all prior conferences and of the real cruiser situation which exists between the two countries.

The American position maintained at all meetings of the preparatory commission and at the Geneva conference was that within a category any nation should have the right to build within the tonnage and other limitations of the category any ship that it saw fit to build.

At the Geneva conference a determined attempt was made on the part of the British to divide up the cruiser category and to limit the number of the 8-inch-gun 10,000-ton ships,

On the other hand, as was shown in the so-called Anglo-French agreement, which was afterwards repudiated, they were equally anxious to have no limitation whatever upon the number of 6-inch-gun ships.

At the Geneva conference our delegates, backed unanimously by the administration, the State Department, and the Navy Department, refused absolutely to consent to the dividing up of the cruiser category. They were willing, as the General Board was willing last summer, for the purpose of bringing about parity at the end of a specific time to limit the number of the 8-inch-gun ships that we would build during that specific time, but were absolutely opposed to any change which would involve the dividing up of the category.

As I have already shown, our best-informed naval opinion is very nearly unanimous in favor of our building principally cruisers of the Washington treaty limit of 10,000 tons, mounting 8-inch guns.

The British, for reasons already explained, prefer the smaller cruisers. Also, for reasons already explained, the British are determined that we shall not have the right to maintain a substantial superiority in the more powerful type of cruisers. So important to them is this contention that in the negotiations of last summer our people were informed that if we insisted upon equality of tonnage in the cruiser category with the right to build any ships that we wish to build up to the limitations of the Washington treaty no agreement for a further limitation of naval armament could be brought about. To meet this situation the Americans were willing to accept a smaller tonnage in the cruiser category than the British for the period of the treaty, provided they were allowed to build the type of ship that their needs required. To bring about such a compromise plan as a basis for parity in 1936, an attempt was made by our people to evolve a yardstick basis whereby 6-inch-gun cruisers should be evaluated in terms of 8-inch-gun cruisers and granting to Great Britain a superior aggregate tonnage on account of her inferiority in 8-inch-gun cruisers and to us a lesser aggregate tonnage on account of our superiority in 8-inch-gun cruisers. This plan, however, was never submitted to the British for consideration, and would probably never have been accepted by the British in any event in view of their unwillingness to allow us any marked superiority in the larger type of cruisers.

Late in the summer of 1929 the British, in response to a request from our Government, sent over a list of cruisers, based on their national needs, which represented the minimum that they could accept for their cruiser complement at the expiration of the year 1936. The figures are the exact figures that the British retain under the London treaty. To meet this proposal, the General Board of the Navy was asked by the administration to make up an American cruiser complement that would give us parity at the close of the year 1936 with the British complement. The General Board attempted to do so and in their letter of September 11, 1929, signed by Admiral Hughes, senior member of the board, agreed for the purpose of attaining parity in 1936 to accept the following cruiser complement: Twenty-one 8-inch-gun cruisers of 10,000 tons each, 10 of the existing 6-inch-gun cruisers of the *Omaha* class, 35,000 tons additional of 6-inch-gun cruisers, a total of 315,500 tons, to the British total of 339,000 tons.

The offer of the General Board represented the lowest figure to which, in their opinion, the United States could safely go, and the letter included a statement that they would much prefer the carrying out of the present law, which would give us twenty-three 8-inch-gun cruisers of 10,000 tons each, and the 10 existing 6-inch-gun cruisers of the *Omaha* class, a total tonnage of 300,500 tons. The letter of the General Board specifically stated that the offer was made merely to secure a basis of parity in 1936, and that the American principle that a country should have the right to build whatever ships it saw fit within the category limit was in no event to be given up.

Again, as at the Washington conference and the Geneva conference, the British, while offering us parity, full and overflowing, strove to limit that parity to fleet-combat parity, which, as I have stated before, is a parity in but one of the functions of a navy, and this time unhappily for the United States they have succeeded.

The American delegation appear to have considered as of importance only the question of the three additional 8-inch-gun cruisers in the complement of the General Board over the 18 provided for under the treaty, and to have entirely ignored the importance of the established American principle that a country may build as it deems essential within the limitations of a category.

To the British, on the other hand, the receding of the Americans from the principle for which they had so long and strenuously fought was the main thing.

At the London conference our delegates have surrendered bag and baggage to the British point of view.

By dividing the cruiser category into subcategories, a provision from which we can never get away in the future, we have given up the right for all time to build within the tonnage allowed us in the full category the type of cruiser that our naval needs demand. When we ask for cruiser equality in the future the equality will not be based on the entire category, with the right to build the type of ship that we need, but will be based on equality in the subcategory, and that equality the British will be very glad to give us. We will be allowed to build as many 8-inch-gun cruisers of subcategory (a) as the British, and no more, and the right to build as many 6-inch-gun cruisers of subcategory (b), a type that we do not need, also. To keep up parity we will have to build ship for ship with them, and as they clearly will not give up their 6-inch-gun cruisers, which so well meet their needs, a considerable proportion at least of our allowed cruiser tonnage must be of a type that does not meet our needs.

Had we followed the suggestion of the General Board in its letter of September 11, had we even gone further and cut down our allotment of 8-inch-gun cruisers from 21 to 18, as provided in the treaty, we would still have had our established principle to stand by at future conferences, but to all intents and purposes the present treaty, with a definite establishment of subcategories in the cruiser category, definitely precludes us in the future from getting any parity with Great Britain in that category except a parity based on the building of ships that we do not need and that she does need.

Mr. President, I ask permission to insert in the Record at this point a statement showing capital ships, aircraft carriers, cruisers, destroyers, and submarines in the navies of the United States, the British Empire, Japan, France, and Italy, built, building, appropriated for, and authorized as of May 1, 1930.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the Record, as follows:

Statement showing capital ships, aircraft carriers, cruisers, destroyers, and submarines in the navies of the United States, British Empire, Japan, France, and Italy
(As of May 1, 1930)

Type	United States		British Empire		Japan		France		Italy	
	Number	Tons	Number	Tons	Number	Tons	Number	Tons	Number	Tons
Capital ships (under age of 20 years):										
Battleships built.....	18	523,400	16	471,450	6	184,080	9	185,925	4	86,532
Battle cruisers built.....	4	135,000								
Total capital ships.....	18	523,400	16	471,450	6	184,080	9	185,925	4	86,532
Aircraft carriers (under age of 20 years):										
Built.....	3	76,286	6	115,350	3	61,270	1	22,146		
Being converted or building.....					1	7,600				
Appropriated for.....	1	13,800								
Authorized.....										
Total aircraft carriers.....	4	90,086	6	115,350	4	68,870	1	22,146		
Cruisers (less than 20 years of age Dec. 31, 1929):										
With guns over 6.1 inch—										
Built.....	12	30,000	15	149,426	8	68,400	4	42,617	4	38,585
Building.....	11	110,000	4	36,800	4	40,000	3	30,000	4	46,000
Appropriated for.....	5	50,000					1	10,000		
Authorized.....	5	50,000								
Total.....	23	230,000	19	186,226	12	108,400	8	82,617	8	84,585
With guns 6.1 inch and under—										
Built.....	10	70,500	39	177,685	21	98,415	7	39,183	7	22,360
Building.....							1	6,496		6,290
Appropriated for.....										
Authorized.....										
Total.....	10	70,500	40	184,185	21	98,415	8	45,679	7	28,650
Grand total both categories.....	33	300,500	59	370,411	33	206,815	16	128,296	21	113,635

¹ On completion of modernization of the Idaho, New Mexico, and Mississippi which it is intended to modernize, about 9,000 tons will be added to above total.

² On completion of modernization of the Alabama, now being modernized, and the Barham, which it is understood is to be modernized, about 2,200 tons will be added to the above total.

³ Exclusive of weight allowance under Ch. II, pt. 3, sec. 1, art. (d) of Washington treaty for providing means against air and submarine attack.

⁴ 3 cruisers (30,000 tons) have been commissioned since May 1, 1930, so that of this class 50,000 tons is now built and 80,000 tons building.

⁵ Includes 4 cruisers with 7.5-inch guns of a total tonnage of 39,426.

Statement showing capital ships, aircraft carriers, cruisers, destroyers, and submarines in the navies of the United States, British Empire, Japan, France, and Italy—Continued

(As of May 1, 1930)

Type	United States		British Empire		Japan		France		Italy	
	Tons	Number	Tons	Number	Tons	Number	Tons	Number	Tons	Number
Cruisers (over 20 years of age Dec. 31, 1929):										
With guns over 6.1 inch, built.....	2	20,115			7	59,410	4	41,807	1	8,760
With guns 6.1 inch, and under, built.....	2	5,386			2	6,630	1	8,189		
Grand total both categories.....	4	25,501			9	66,040	5	49,996	1	8,760
Destroyers (under age of 16 years):										
Built.....	284	290,304	150	157,585	102	107,275	63	73,493	78	73,802
Building.....			30	25,786	13	22,100	19	42,096	11	14,384
Appropriated for.....			5	6,890			6	15,414		
Authorized.....	(⁶)	(⁶)								
Total.....	284	290,304	175	191,261	115	129,375	88	131,003	89	88,386
Destroyers (over 16 years of age) built.....	25	16,851			4	3,120	7	3,773	3	1,623
Submarines (under age of 13 years):										
Built.....	108	75,520	53	45,534	64	66,088	44	31,985	43	27,248
Building.....	2	5,460	10	14,750	7	11,774	47	49,785	14	9,828
Appropriated for.....	3	4,650	3	3,040			11	11,226		
Authorized.....	(⁷)	(⁷)								
Total.....	113	85,630	66	63,324	71	77,862	102	92,996	57	37,076
Submarines (over 13 years of age) built.....	14	5,180					8	4,883		

⁶ Does not include 12 destroyers remaining from 1916 program for which no funds for construction are available.

⁷ Includes 61 destroyers (63,991 tons) listed for disposal, and 10 Coast Guard destroyers (8,809 tons).

⁸ Includes 31 submarines (16,120 tons) listed for disposal, and experiment hulk S-4 (790 tons).

⁹ Estimated displacement.

¹⁰ Does not include 1 experimental (Neff type) submarine authorized.

¹¹ Listed for disposal.

Mr. HALE. Mr. President, I will briefly state the relative position of our Navy compared with the navies of Great Britain and Japan in the event that the treaty is not ratified.

In so far as the navies of France and Italy are concerned, we have never regarded them as a direct factor in basing our naval program, and I shall not deal with the French and Italian figures in this brief statement.

In capital ships we have 18 battleships of 523,400 standard tons; the British have 16 battleships and 4 battle cruisers of 606,450 standard tons; the Japanese have 6 battleships and 4 battle cruisers of 292,400 standard tons. As I have already explained, in the make-up of the capital fleets of the three countries a ratio of 5-5-3 was considered to have been reached. The superior tonnage of the British was offset by certain advantages in our ships and those of Japan. By the addition of the *Rodney* and *Nelson* the British have somewhat improved their position in regard to the ratio.

In aircraft carriers we have built and appropriated for 4 of an aggregate tonnage of 90,086; the British 6 of an aggregate tonnage of 115,350, and the Japanese 4 of an aggregate tonnage of 68,870. We are below the ratio, both with Great Britain and Japan, and would have to build several of these ships to catch up.

In cruisers the United States has 5 of the 8-inch gun 10,000-ton treaty cruisers built, and 8 building. The cruiser bill passed in February, 1929, provided, however, for 10 more of these cruisers, and under that law, unless stopped by an international agreement, these 10 ships must be started during the fiscal year 1931. With the addition of these ships to the 13 built and building therefore we shall at the end of a very few years, unless the present cruiser law is changed by Congress or the administration disregards the terms thereof, have 23 of these treaty cruisers of a tonnage of 230,000 tons. In addition we have the ten 6-inch-gun cruisers of the *Omaha* class, aggregating 70,500 tons. In all, 33 cruisers of an aggregate tonnage of 300,500.

Great Britain has eleven 8-inch-gun 10,000-ton cruisers built of a tonnage of 110,000 tons, four more building of a tonnage of 36,800 tons, and the four 7½-inch-gun ships of the *Hawkins* class, which will give her 19 cruisers with guns of a larger

caliber than 6-inch, though 4 of them have 7½-inch guns instead of the 8-inch guns of the treaty cruisers.

In addition, Great Britain has 39 smaller 6-inch-gun cruisers of a tonnage of 177,685, and one 6-inch-gun ship of a tonnage of 6,500 authorized, giving her in all 59 ships of an aggregate tonnage of 370,411.

Japan has eight 8-inch-gun cruisers of a tonnage of 68,400 built, and four of a tonnage of 40,000 building. This will give her twelve 8-inch-gun cruisers of an aggregate tonnage of 108,400. In addition, she has twenty-one 6-inch-gun cruisers, giving her in all 33 cruisers with an aggregate tonnage of 206,815.

With our 23 treaty cruisers, which under existing law must be built, and our 10 cruisers of the *Omaha* class, we shall be somewhat below the ratio of the Washington treaty with Great Britain in tonnage, but our superiority in the treaty ships, the kind of ships that predominant naval opinion has shown that we need, will make us so much better off on account of the fact that the treaty cruisers are superior to cruisers of the *Hawkins* class, and that two of the British treaty cruisers are of a tonnage of 8,400 instead of 10,000 tons, that comparatively, the two navies are fairly well balanced in cruisers.

As far as Japan is concerned, while her aggregate tonnage in cruisers would be slightly above the Washington ratio in respect to ourselves, we would have such a preponderance of treaty cruisers that she would undoubtedly have to build additional ships to reach the 3-5 ratio with the United States on the basis of her claims as to treaty cruisers at the London conference.

In destroyers, marking off the 61 destroyers aggregating 63,991 tons that are now on the disposal list, we would have 223 destroyers of an aggregate tonnage of 226,313. The British have 175 of an aggregate tonnage of 191,261 built and building, and the Japanese have 115 of an aggregate tonnage of 129,375 built and building.

We would be somewhat above the Washington ratio, both in regard to Great Britain and Japan. The British and American ships will nearly all of them soon become obsolete, however, while the Japanese ships are all of much more recent construction.

In submarines we have 81 built and building, of an aggregate tonnage of 68,720, exclusive of 46 submarines listed for disposal; the British have 66 built and building, of an aggregate tonnage of 63,224; and the Japanese 71 built and building, of an aggregate tonnage of 77,842. Within the next half a dozen years all but about 27,000 tons of our submarines will go out on account of over-age, and the British at that time will have about 37,000 tons left. The Japanese submarines, on the other hand, are more modern, and at the same time she would have about 52,000 tons remaining. In submarines we are well above the 5-5-3 ratio with Great Britain and below it with Japan. Obviously in both the destroyer and submarine classes extensive replacements will have to be made within the next few years.

Taking the three fleets as they are now, or will be under present building programs, with our superiority in certain classes and inferiority in others, provided that replacements are made of the vessels that go out on account of obsolescence, we shall have a navy, if no treaty is signed, that will bring us up very near to the ratio of the Washington conference as a whole.

As far as battleships are concerned none of the countries affected want to do any replacing at the present time, and by an exchange of notes it should be possible to bring about the capital-ship provisions of the London treaty, which in the main are fairly satisfactory, after we shall have modernized all of our battleships.

This will leave us slightly better off in our capital-ship ratio than at the present time, and will defer expenditures on the replacement program to a later date.

I have spoken of the replacements that will be necessary in certain classes of ships in addition to the new building.

We have in commission or under repair in our Navy at the present time 18 battleships within the effective age, 3 aircraft carriers, 15 cruisers, 106 destroyers, and 80 submarines—a total of 220 vessels, the actual cost of replacement of which would be \$1,430,600,162.

Assuming the effective life of the various types to be 20 years for capital ships, aircraft carriers, and cruisers, 16 years for destroyers, and 13 years for submarines, to keep replaced only the ships of our Navy now in commission without any further new construction, or without any increase in the size of individual units, would require an annual expenditure of about \$80,000,000 each and every year. If, on account of ships not

having reached their age limits in the first years of the program, a lesser amount than this \$80,000,000 is expended in those years, the expenditure in later years must correspondingly be increased as the whole Navy must be replaced within 20 years.

When we are told that we would have to spend about a billion dollars to bring us up to the London treaty navy we must remember that replacement of destroyers and of submarines that must be made if we are to keep up our present Navy, whether we have a treaty or not, accounts for a great part of that billion dollars. The only new construction necessary, as distinguished from replacement, would be of aircraft carriers sufficient to bring us up to the 135,000 tons allowed us by the Washington conference, and of the additional requisite tonnage in the cruiser class under the treaty.

In other words, should we have no treaty and should we decide, as we probably would, to build up our aircraft-carrier forces to the limit allowed us under the Washington treaty, should we complete the cruiser program now authorized and prescribed by law, should we keep up our destroyer forces to the 150,000 tons allowed us under the London treaty, which is somewhat larger than our present destroyer tonnage in commission, and should we keep up our present submarine tonnage in commission, plus the 10,000 tons now building and appropriated for, the aggregate cost would be about the same whether we had the treaty or did not have it, but in the very important cruiser class of ships we would be far better off than we shall be under the treaty and would have the type of ship that the best-informed naval opinion holds that we need.

I ask to put in the Record at this point certain tables showing the total replacement cost and the annual replacement cost of the treaty program; the present existing combatant Navy in commission and of the Navy that we would doubtless keep up should the treaty not be ratified, together with explanatory notes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HALE. The tables and explanatory notes are as follows:

COSTS OF VARIOUS PROGRAMS

The costs of shipbuilding are difficult to anticipate, due to fluctuations in prices of materials and labor, and can not be estimated with accuracy until the displacement, speed, armor, armament, and so forth, of the ships has been decided. The following estimates of cost are based on a rough estimated cost per ton. By using the same estimated cost per ton through the relative costs of replacement under various programs the ultimate relative cost is indicated.

Replacement cost of treaty program

Type	Treaty allowance (tons)	Estimated cost per ton	Total cost of replacement	Life (years)	Average annual cost of replacement
Battleships.....	525,000	\$1,117	\$586,425,000	20	\$29,321,250
Aircraft carriers.....	135,000	1,377	185,595,000	20	9,284,750
Cruisers.....	325,500	\$1,700-1,855	572,192,000	20	28,609,600
Destroyers.....	150,000	\$2,500-2,790	415,600,000	16	25,975,000
Submarines.....	82,700	\$2,950-3,800	179,180,000	13	13,783,000
Total.....	1,186,200		\$1,938,902,000		\$106,983,600

¹ In figuring replacement costs \$1,700 is used for 180,000 tons of 8-inch gun cruisers and \$1,855 for 145,000 tons of 6-inch gun cruisers.

² \$2,500 per ton is used for 10,000 tons of leaders and \$2,790 for 140,000 tons of destroyers.

³ In figuring replacement cost a mean figure of \$3,400 a ton is used.

⁴ Total cost of replacement.

⁵ Annual cost.

COSTS TO REPLACE PRESENT COMBATANT TONNAGE NOW IN COMMISSION

Mr. HALE. At present we have 18 battleships of 523,400 tons in commission, including 2 battleships undergoing modernization. According to the Washington treaty, these ships are to be replaced by 15 ships of 525,000 tons, which is the figure used below, and the same as used in Table I, giving costs of replacement of the treaty Navy. At present we have 76,286 tons of aircraft carriers in commission, including the *Langley* (10,286 tons). Of the total of 226,313 tons of destroyers less than 16 years old, excluding those on the disposal list, 106 boats, plus 3 training boats, of a total tonnage of 112,296 tons, are in commission under the Navy. (An additional 8,800 tons are manned by the Coast Guard.) At present we have 78 submarines of 59,690 tons in commission, exclusive of *S-4*. At present we have ten 6-inch cruisers and five 10,000-ton cruisers in commission.

Cost of replacing the ships now in commission, neglecting those under construction and those out of commission and making no allowance for the probable increase in size of future destroyers and replacement submarines shows the following:

Type	Tonnage in commission	Estimated cost per ton	Total cost of replacement	Life (years)	Average annual cost of replacement
Battleships.....	525,000	\$1,117	\$586,425,000	20	\$29,321,250
Aircraft carriers.....	76,286	1,377	115,045,822	20	5,752,291
Cruisers.....	130,500	\$1,700-1,855	215,777,500	20	10,788,875
Destroyers.....	112,296	\$2,500-2,790	310,465,940	16	19,400,365
Submarines.....	59,690	\$2,950-3,800	202,946,000	13	15,611,230
Total.....	893,772		\$1,430,600,162		\$80,574,011

¹ Washington treaty allowance which is practically same as tonnage in commission.
² \$1,700 per ton used for 30,000 tons of 8-inch-gun cruisers, \$1,855 per ton for 70,500 tons of 6-inch-gun cruisers.

³ \$2,500 per ton used for 10,000 tons of leaders and \$2,790 per ton for 102,296 tons of destroyers.

⁴ Approximate mean figure of \$3,400 per ton used in figuring replacement costs.
⁵ Total cost of replacement.
⁶ Annual cost.

Cost of replacing ships now in commission plus cost of completing authorized cruiser program, building up to treaty allowance of 135,000 tons of aircraft carriers, and 150,000 tons of destroyers, and 69,800 tons of submarines

Type	Tonnage	Estimated cost per ton	Total cost	Life (years)	Average annual cost
Battleships.....	525,000	\$1,117	\$586,425,000	20	\$29,321,250
Aircraft carriers.....	135,000	1,377	185,595,000	20	9,279,750
Cruisers.....	300,500	\$1,700-1,855	521,777,500	20	26,088,875
Destroyers.....	150,000	\$2,500-2,790	415,600,000	16	25,975,000
Submarines.....	69,800	\$2,950-3,800	257,330,000	13	19,794,555
Total.....	1,180,300		\$1,946,717,500		\$108,938,430

¹ \$1,700 per ton used for 230,000 tons of 8-inch-gun cruisers, \$1,855 per ton used for 70,500 tons of 6-inch-gun cruisers.

² \$2,500 per ton used for 10,000 tons of leaders, \$2,790 per ton used for 140,000 tons of destroyers.

³ Mean figure of \$3,400 per ton used in figuring costs of submarines.

⁴ Total cost of replacement.
⁵ Annual cost.

Mr. HALE. Mr. President, consider the position of the American delegates at the London conference as contrasted with that of our delegates at the Washington conference. At that time with a magnificent Navy built and building, we were in a position to dictate. That we did not take advantage of that position as we should have taken advantage of it does not alter the fact that we were in a position to dictate what the conference should do. The dominant spirit at the Washington conference was our Secretary of State, Mr. Hughes. As in the case of the present conference, the conference was a statesmen's conference, and little attention was paid to the advice of the naval experts. Bitterly have our people had cause to repent that we did not use our strategic advantages at the Washington conference to better purpose.

Shorn by the Washington conference of any superiority on which to trade, our delegates went to London, statesmen all, little versed in naval lore themselves, ignorant of naval tradition and naval opinion, and the reasons therefor, resolved to make an agreement though the heavens fell, begging but not insisting that our own naval needs be taken somewhat into consideration, asking but again not insisting on the right to build the kind of ships we want to build, our humble prayer was denied, and we were told to take what steps Great Britain and Japan wanted us to take or be responsible for the failure of the conference. It was no easy job that confronted these delegates of ours, I am willing to concede that, but I can not help feeling that had they stood out, a vastly different agreement could have been brought about, and even had such not proved to be the case, we would have been far better off with no treaty than we shall be should we subscribe to this treaty.

And now we come to the last point in the treaty to which I seriously object—the raising of the Japanese ratio.

I have already cited a statement of Secretary Hughes made shortly after the Washington conference in relation to the one successful achievement of that conference, the establishing of a ratio with Great Britain and Japan. Never until the news came to us from London had there been any conception, as far as I am aware, on the part of any responsible authorities in this country that the ratio in regard to Japan would be abandoned at this conference. Japan at the Washington conference asked for a ratio of 10-7. At the expense of giving up the right further to fortify and develop our island bases in the Pacific, we wrung from her a reluctant consent to accept the 10-10-6 ratio.

At this amazing London conference, while still prevented from further fortifying or developing our island bases, we yield to her substantially the ratio that she demanded at the Washington conference, and for what purpose? To get her to sign the treaty without which the statesmen dared not come back to Washington. We had the opportunity to cancel that provision about the fortifying of our island bases at this conference should we have seen fit to do so, but nowhere can I find that any such leverage as that was ever at any time used at the conference to hold Japan down to the ratio of the Washington conference. On the contrary, as far as I have been able to discover, we acceded without any compensating benefit to ourselves to practically every request made by the Japanese. They are allowed a certain advantage in battleship scrapping. They are allowed an increase over the Washington ratio in 8-inch-gun cruisers, and we put off at their request building of two of our own meager complement. They are allowed a ratio of 10-7 in 6-inch-gun cruisers, substantially the same in destroyers, and in submarines they are allowed equality. For the benefit of their shipyards they are allowed to replace ships before those ships are obsolete. They are allowed to interchange 10 per cent of subcategory (b), cruiser and destroyer tonnage, and so forth.

Some people have had the effrontery to talk about our successful negotiations with Japan. Never in the course of American diplomacy, I venture to say, have our interests been sacrificed as they have been in this wretched Japanese fiasco. And to cap it all, at the instigation of Japan a clause was inserted in the treaty that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference in 1935—10-6 was the ratio of Japan at the Washington conference, 10-7 at this conference, and a very probable demand for 10-10 at the next conference.

Our delegates were marched up to the table, confronted with the refusal of Japan, unless she could have her terms, to sign the treaty, and given the alternative of no treaty or of signing away any possibility of parity in future operations in the Far East. They signed.

Mr. President, in a recent radio talk the Secretary of State, Mr. Stimson, has found fault with the point of view of the naval officers who have testified before the committees of Congress, and has naively informed us that the point of view of those who do not approve of his treaty is extremely narrow, while the point of view of Admiral Pratt and the two or three other naval officers, who as far as I have been able to learn, are the only officers of the Navy who do agree with Admiral Pratt, is noteworthy for its broadmindedness.

Let me say now that none of the high officers of the Navy who appeared before the Naval Affairs Committee of the Senate and testified for or against the provisions of the treaty did so at their own request. Nothing can be more distasteful to an officer of the Navy than to appear before a committee of Congress and make any statement that may be held to reflect on his superior officers, on the Secretary of the Navy, or on the existing administration.

These men were called before the Naval Affairs Committee of the Senate because they are the men preeminently qualified to pronounce upon naval questions. The Navy Department quite properly offered no objection to their obeying the call. They did appear, they gave their views honestly, and they are to be commended and not rebuked for doing so.

The attack of the Secretary of State on the officers of the Navy is entirely unwarranted. He tells us that their criticisms should not prevail against the treaty because they are fighting men. They are fighting men. They understand the problems of war, and they realize that what the Secretary of State calls the preventive measures of international relations, which are intended to make war less likely, may or may not operate successfully.

The Navy does not desire to prevent such measures, but it does wish to provide, in case such measures do not operate successfully and war does come, that the national defense shall not be threatened.

The trouble with the Secretary of State is that he goes ahead against the experience of history in the blind belief and confidence that the preventive measures referred to will not fail, and he sees no necessity for adequate provisions for the national defense in case of failure, because he can see no possibility of failure. With him the securing of an international agreement is wholly important.

The United States Navy, the first line of defense of the country, its guaranty of continued national life, has become little more than a trading asset, armed with which the Secretary of State may ride forth to win his spurs. A treaty he must bring home. If to get that treaty a sacrifice of national security is

necessary that is a trivial matter. The sacrifice must be made—the spurs must be won.

Mr. President, I, for one, am getting very tired of having this country of ours dragged into conferences on limitation of armaments that have not been properly prepared for, and then being held up and told that unless we recede from some contention vital to our interests that the conference must fail. Why can not we put the onus of failure upon some other shoulders than our own? As a matter of fact, at London we were the only people willing actually to make sacrifices. The other powers were out frankly to secure for themselves whatever advantages they could get. Great Britain reduces her cruisers from 70 to 50, but she makes a big saving in her building program, and by limiting the type of cruiser that we want she still maintains control of the seas. Japan—well it is difficult to think of any sacrifice that Japan has made. Apparently she gets everything that she wants, full and overflowing. And there is so little need of our making sacrifices. Every other power knows that should we see fit to do so we can, with little hardship to ourselves, build up a navy that as a whole or in any category will swamp any possible effort on the part of any other country to equal. That potential power that lies in us could prove the dominating factor in any conference if it were used, but we never use it, and the other powers have come to believe that we are so overrun by pacificism in this country that we never can use it. Failure of a conference and the starting of a real program, such as Calvin Coolidge recommended after the Geneva conference broke up, would bring about a real chance for reduction of armament in the world, a real willingness on the part of countries, other than the United States, to make sacrifices in order to bring about reduction. But that is not our way.

The point has been stressed that opposition to the London treaty is not limited to the big-navy men of this country, and that big-navy advocates in both Great Britain and Japan are opposing the treaty. In the first place, let me call attention to the fact that the opposition to the treaty in this country and in the Senate comes not from those who advocate a more powerful navy than that of Great Britain, but from those who insist on a real parity between the two countries. Call us big-navy men if you will, but remember that we do not and never have striven for anything but parity. The critics of the treaty in Great Britain have not back of them the British Admiralty which formally approved the British figures in the treaty, whereas the members of the General Board of our Navy, the official advisers of the Secretary of the Navy, have gone on record as disapproving the American figures. In Japan the opposition is in large part due to a row between the general staff of the navy and the Foreign Office over a question of prerogatives, rather than opposition to the actual terms of the treaty itself.

Another point has been made that if we are to keep up friendly relations with Great Britain and Japan it is almost obligatory upon us to ratify this treaty. If we must sacrifice our national security to promote friendly relations, which at any moment may be turned into unfriendly relations, it is better, to my mind, to risk the displeasure of these two friendly nations than to buy them off with a yielding of our national security.

My home section of the country, New England, is renowned for the skill of its people in making trades. From any experience that I have had I have never found that the man who beats you in a trade has any great feeling of respect for your weakness in allowing yourself to be beaten, and the feelings of the man who has been outraded, when he finally discovers that he has been outraded, have little to do with brotherly love.

The people of this country do not understand this very intricate treaty; they do not realize what we are giving up when we sign it. But some day they will find out, and they will recognize to what extent we have emasculated ourselves. When that awakening comes there is going to be no especially friendly feeling toward the countries that have put over this one-sided international agreement on us.

Mr. President, the treaty fails completely on account of the refusal of France and Italy to agree to any limitation on auxiliary vessels, and the loophole for increases under Article XXI, the "escalator clause," to place any effective limitation on future naval armaments.

The Navy that the treaty allows us at the expiration of the year 1936 is practically the same in size and cost of maintenance as the present Navy with our building programs completed, and our replacements of obsolete vessels carried out, but the cruiser provisions in the treaty make it an incomparably weaker Navy for our purposes.

The treaty gives to Japan, in return for no consideration whatever except that of signing the treaty, a substantial increase over the ratio provided for capital ships in the Wash-

ington treaty, and still leaves us under the handicap agreed to in the Washington treaty not further to fortify our island bases in the western Pacific. This agreement, to which we reluctantly acceded at the Washington conference, was the direct price of holding the Japanese down to the ratio of 5-5-3 at that conference.

As a result of the increase of the Japanese ratio, in the event of hostilities with Japan, where the seat of operations must inevitably be in the Far East according to the unanimous testimony of our naval officers before the committees of the Senate, we shall be forced to engage on less than even terms for ourselves.

While its proponents claim that the treaty provides for parity with Great Britain, as a matter of fact it provides for no such parity during the life of the treaty, unless, which is unthinkable, we exercise the right under the option as to cruiser building and build ship for ship with Great Britain along the lines of her naval needs and not at all along the lines of our own. Should we exercise the other option and give up the idea of parity during the life of the treaty, we shall within the two years following 1936 have a slight superiority in the type of cruiser that the great majority of our naval authorities maintain that we need, of three 8-inch-gun cruisers, just one-half the superiority that our general board asked for after cutting their demands to the lowest possible figure compatible with our national security.

But much more than the acceptance of this reduction in our asked-for quota of 8-inch-gun cruisers is the abandonment by our Government of the basic principle on which we have stood so firmly at former conferences, that each country shall have the right within the limitations of a category to build the type of ship that it considers essential. By the yielding of this principle in this treaty we subscribe to a basis for future disarmament treaties from which we can never get away. By the abandonment of this principle and the acceptance of the British contention that the parity between the two countries shall be fleet-combat parity alone, we place ourselves at an immense disadvantage in all of the other functions of our navy, including the protection of our foreign commerce, and turn over the control of the seas in all but our own home waters to Great Britain, the stronger maritime nation in everything but the actual combat strength of its fleet, which it still maintains on a parity with our own.

To attempt to apply corrective measures to this situation at any future conference will, in my judgment, mean the failure of any such conference. The British by the terms of this treaty have us hamstrung and hog-tied, and there they will keep us as long as limitations of armaments are the order of the day.

Under the treaty we attempt to purchase the good will of the world through the sacrifice of the right to safeguard our interests. We will get not good will but the contempt that a supine nation invariably gets and deserves to get. If this treaty is ratified by this Senate, in my judgment, we have definitely and conclusively proved to the world that in international relations we are not capable of looking after our own interests, and do not measure up to the great position of responsibility and legitimate power that we have honorably won for ourselves in the world by ways other than those of war.

Mr. REED. Mr. President, I had not intended to speak until next week on the pending treaty, but certain statements made by the Senator from Maine prompt me to inject a word at this time. The Senator tells the country that the American delegation at London surrendered bag and baggage; he tells the country that the United States emerged from the conference hamstrung and hog-tied; he tells us that the American Navy is emasculated; he tells us that it is effrontery to talk about the negotiations at London having been successful; he tells us that never before in—

Mr. HALE. Mr. President, I said that with reference to Japan.

Mr. REED. Yes; that it is effrontery to say, as some of us have ventured to say, that a satisfactory solution was worked out with the Japanese; that never before in our history have our interests been so sacrificed as in the surrender the American delegation made to the Japanese at London.

Mr. President, I have never yet been at a ball game but I found at least one fat man in the bleachers who could play ball better than any player on the team. I never yet have seen a war in which belligerent civilians, sitting in safety at home, did not want to attack every morning.

Four out of the seven American delegates at the London conference wore the uniform of their country in the last war, although I think none of the four was within the draft age. Presumably they have the interest of the Nation as much at heart as those who now tell us that it is effrontery to talk about the treaty as a proper solution of international difficulties; pre-

sumably they have the interest of the Nation as much at heart as those who say that never have national interests been so surrendered.

I resent it, Mr. President, because, at least, the delegates who went to London were patriotic Americans; they did their best; and they thought they worked out a solution which was to the best interests of their own Nation. Perhaps a little group of admirals whose advice was not implicitly followed, perhaps a little group of bureaucrats here in Washington, who were not permitted to dictate the national policy of the United States—perhaps they are wiser than the American Secretary of State; the American Secretary of the Navy, Mr. Dawes, our ambassador to Great Britain; and Ambassador Gibson, who was one of the highly praised delegates at the fiasco in Geneva; Mr. Morrow, our ambassador to Mexico; the Senator from Arkansas [Mr. Robinson]; and myself. Perhaps those admirals who see so much of Washington and so little of the sea are entitled to dictate the policy of this Nation in international affairs, or perhaps it is wiser that the control of international affairs should not be vested in them. If, however, the black doctrine that they preach, Mr. President, as enunciated by the Senator from Maine, that the only adequate defense means mastery of the seas, then all conferences are useless, and we had better go forth to shoot our way to a mastery of the seven seas and give up any effort to live in peace with our neighbors.

Mastery of the seas, forsooth! How can we get mastery of the seas without sinking the ships that challenge us? Can we do it? Perhaps we can. Should we do it? Should we declare war on Great Britain because we have stronger national resources than has she, and because in the end we know that we could sink her ships and wreck her country? Should we declare war on Japan because we know we can do it to her? Is that the doctrine that is to determine the conduct of American affairs at this time in our history?

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REED. I will yield in a few moments.

Mr. President, that philosophy and that argument is the kind of stuff that was thrust at the American delegation throughout the weeks. We heard these admirals here in this country before we went to London, and that sort of stuff was given us in London by the advocates of the unyielding school, who said we must do what the Navy General Board says or else we are traitors.

Mr. HALE. Mr. President, if the Senator will yield to me, I should like to have the Senator state exactly what he means by the expression "that sort of stuff." To just what does he refer? I have never asked for superiority; I have asked for equality and nothing more.

Mr. REED. I will quote the Senator himself. He says that adequate national defense means mastery of the seas. He went on to describe what adequate national defense was; that we should have not only the right to protect our own frontiers, not only the right to protect ourselves from attack, but that we should have the power to go out and defeat in its home waters the navy of our enemy.

Mr. HALE. Mr. President, will the Senator tell me where I said that adequate national defense required that we should have such power?

Mr. REED. Right at the beginning of the Senator's speech; I find it is the first note I wrote down. The Senator, perhaps, can find it.

The Senator talks about raising the Japanese quota. Mr. President, let me give some figures to show what actually was the situation. Remember, that we have not parity, according to the Senator from Maine, under this treaty and that that lack of parity which the treaty fails to give us imperils the United States; that the ratio established by the treaty with Japan imperils the national security of the United States. Now, let me show, Mr. President, how stood the national security of the United States under the guardianship of our bureaucratic friends when there was no limitation whatever on the building of cruisers.

When we went to London Japan had 342 per cent of the number of 8-inch-gun cruisers that we had, and if there be included the cruisers built and building of the two countries, she had 136 per cent of our strength. That includes every ship of which we had laid the keels, and it includes those that Japan has almost finished. Of 6-inch and 5½-inch gun cruisers neither of us was building anything, but Japan had 140 per cent of the American fleet. Yet the Senator talks about maintaining a 5-3 ratio.

Mr. HALE. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. HALE. Does not the Senator know that under the 15-cruiser bill of 1929 it is required that a certain number of ships shall be started by the end of the year 1931.

Mr. REED. Absolutely, and I am glad the Senator mentioned that.

Mr. HALE. Mr. President—

Mr. REED. Now, will the Senator give me an opportunity to reply?

Mr. HALE. The Senator should take those cruisers into consideration as actually existing ships within the period of the treaty. He can not get away from that.

Mr. REED. I will do so if the Senator wishes. We have at this moment 5 of the treaty cruisers in commission; we have 3 that are about 75 per cent completed; we have 5 that the Senator calls "under construction"; but their keels have not been laid and their design has not been settled. So we have 8 actually built and building, and we have 5 more for which some material has been assembled, which the President last month told the Navy to go ahead and build, but they said they could not start them for six months because they were going to change the design.

Mr. HALE. Mr. President—

Mr. REED. I will ask the Senator to wait a moment. He has had two or three hours and I want a few moments.

Mr. HALE. But those ships will be built.

Mr. REED. Those ships doubtless will be built. If this treaty shall be rejected, doubtless those five whose keels have not been laid will be built, and, doubtless, 10 more, authorized by the 1927 law, will be built; but at the present time we have 8 built and building and Japan has 12. Does the Senator suppose, does even the Navy General Board, in all the rigidity of its self-delusion, suppose that Japan will sit still for seven years and allow us to lay down and complete 15 additional 8-inch-gun cruisers? She has a superiority over us to-day of 12 to 8 in built and building. She is not crazy. If we should defeat this treaty it would alarm all Japan, and, mark my words, poor as she may be, troubled with unemployment as she may be, her national security is the last thing she will sacrifice; and by the time the 5-3 ratio with Japan shall have been obtained by methods proposed by the Senator from Maine, years will have elapsed and hundreds of millions will have been spent, and, in all likelihood a war will have been fought. We got in London bloodlessly exactly the 5-3 ratio in 8-inch-gun cruisers.

Mr. HALE. Mr. President, will the Senator yield?

Mr. REED. I yield again to the Senator from Maine.

Mr. HALE. We do not obtain the 5-3 ratio during the life of the treaty.

Mr. REED. We have heard that ad nauseam almost.

Mr. HALE. I have never heard any explanation of it, Mr. President.

Mr. REED. If I may repeat a little louder the remark of the Senator from Maine, he says we do not obtain the 5-3 ratio during the life of the treaty.

Japan has 12 large 8-inch cruisers to-day. Their aggregate tonnage is 108,400 standard tons. Under the London treaty we are entitled to 180,000 tons of 8-inch cruisers; and of that 180,000 the Japanese 108,400 ton is exactly six-tenths.

Naturally, we are not going to build all these cruisers tomorrow. Having some sense, we are going to build them gradually. We have agreed that the last three—Nos. 16, 17, and 18—shall be laid down successively in 1933, 1934, and 1935, and shall not be finished before 1936, 1937, and 1938. At the precise instant when this treaty terminates—which will be midnight on the 31st of December, 1936—we shall have, if we build up to the treaty limits, and I hope we shall, 16 in commission. We shall have one more within one day of completion. No. 17 can be commissioned on January 1, 1937. They ignore that altogether. There is a cruiser which has been building for 3 years within 24 hours of completion; and in all the copious figures furnished you by these admirals, which have filled your mail so much, and the Navy League statements you have been getting, they treat that as zero—a ship that is within 24 hours of completion, and No. 18 is within 1 year and 24 hours of completion; and against that Japan has her present 12 ships, and nothing laid down! If that is not the 10-6 ratio, I do not know what can be.

Talk about raising the Japanese ratio—to have induced her to stand absolutely stock still for seven years in these most important ships, accepting the Senator's opinion, while we build up from the 1 cruiser that we had in commission when we went to London to the 18 that I have just told about; and then the Senator says that that is the worst surrender of American interests in all the 140 years of our history! I resent it, I think, naturally.

Now let me give the picture in the smaller cruisers, and then say a word about them.

At the present time, Japan has 21 cruisers armed with 6-inch and 5½-inch guns. We have 10. Her tonnage is 98,415 standard tons and ours is 70,500. She has not any in course of con-

struction and neither have we. She has us 10 to 7 at this minute, and we are not turning a finger to change that ratio at the present moment; and yet by this treaty that relationship is exactly inverted, and she agrees to stand still while we build past her to 143,000 tons.

Mr. HALE. Which we do not want.

Mr. REED. Which we do not want, says the Senator; and there is one of the paradoxical things that puzzled this delegation for months. It seems that a 6-inch cruiser is an ideal ship for the British; somehow, when a Britisher gets behind a 6-inch gun, that becomes an immensely valuable fighting ship; but let an American get behind the same gun, and it is no good at all! To illustrate that profound truth, the Senator has prepared over here in the corner two illustrative turrets. For some reason he puts three 8-inch guns in one turret and only two 6-inch guns in the smaller turret. Presumably three 6-inch guns could be put in one turret just as well as three eights in the other.

Mr. HALE. Mr. President, will the Senator permit me to interrupt him?

Mr. REED. I yield.

Mr. HALE. There are two 6-inch guns in the 6-inch-gun model turret because that represents one of the turrets that they have now on the *Omaha* class of ships.

Mr. REED. Yes; exactly.

Mr. HALE. Under the later developments, if that type of cruisers is gone ahead with, they will have either three or four guns in the turrets, so that the turrets probably will be as large as the turrets of the 8-inch-gun cruisers; but the turret, unfortunately, does not do very much damage. It is the gun in the turret that does the damage.

Mr. REED. I see. I shall have a word to say about how much damage it does in a minute. Then we understand that the larger one of these miniature turrets is the present type of 8-inch turret, and that the 6-inch turret, showing only the two guns, is copied from that on the old *Omaha* class.

Now, just a word about those two kinds of cruisers. I suppose we are to attach no significance to the fact that when they were free to recommend either type and when they were free to build either type, the Navy General Board recommended and build the 10 *Omahas*.

Mr. ODDIE. Mr. President, will the Senator yield there?

Mr. REED. Yes; I yield.

Mr. ODDIE. That, Mr. President, is a misleading statement. Probably the Senator does not remember; I know he does not intend it to be misleading; but when those ten 6-inch-gun cruisers of the *Omaha* type were laid down, they were laid down with six battle cruisers of 16-inch guns. The smaller 6-inch-gun ships were to be used in the screen in battle formation. They were to be used as a complement to the great battle cruisers. We lost those battle cruisers in the Washington conference, and we did the best thing we could do under the limitations of the Washington conference; we started planning for 8-inch cruisers, and Great Britain and Japan started building 8-inch cruisers.

Mr. REED. Mr. President, we went ahead after the Washington conference and we finished the 10 *Omahas*, all 10 of them; and they were the only cruisers we had down until last November, I think, when the *Salt Lake City*, the first 8-inch cruiser, was launched. If the people who signed the treaty have thrown the interests of the United States to the winds, think of the uncontrolled and unrestricted Navy General Board, which has left us since 1922 with nothing but 10 *Omahas*!

Mr. HALE. Mr. President, will the Senator yield?

Mr. REED. I yield again, if this has to be a dialogue.

Mr. HALE. In 1924, on the recommendation of the Navy Department, we authorized the building of eight 8-inch-gun ships. Prior to the year 1924 no country built any of the modern 8-inch-gun ships. They were not a recognized type of vessel. They were not known about.

Mr. REED. Oh, the British built five of the *Hawkins* type away back before the Washington conference.

Mr. HALE. Yes; 7½-inch-gun ships; mere experiments.

Mr. REED. Now, Mr. President, again I must ask for a moment to speak.

The Senator from Maine has pointed to the highly beneficial results which will follow the rejection of this treaty. We are to go ahead, says he, and we are to build up to twenty-three 8-inch-gun cruisers by laying down 15 more than have been laid down so far; and in the meantime Japan, lulled to security by the Senator's philosophy of national defense, no doubt, is not going to lay down a single new ship. She is going to let us go from an inferiority of about 7 to her 10 up to a place where we will have pretty nearly 2 to her 1. It does not make sense, Mr. President, and we know it will not happen. In 6-inch

cruisers she is supposed to stand still with her present tonnage, where she has us 10 to 7, and let us build up until we are 10 to 6 or more against her, although presumably these are useless ships, which we do not want.

Great Britain to-day has nineteen 8-inch cruisers built and building, against our 8, plus the hypothetical 5 that are building, and the 10 that presumably we would build if there were no treaty. Under the treaty made by these traitors to the national interests Great Britain is going to scrap 4 of her 19, and come down to 15, and stand still that while we build up from our present 5 to a total of 18. Is that sacrificing the interests of the United States? And if we have 18 to 15 in this most powerful type of cruiser which the Senator has been praising, does he find that that is not parity in this strongest type of cruiser?

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Tennessee?

Mr. REED. I yield to the Senator.

Mr. McKELLAR. It is true, however, that during the entire life of the treaty Great Britain will have 19 of the larger class or class A cruisers, while America will not reach 16 until the end of the life of the treaty.

Mr. REED. Absolutely; that is true, because we can not build cruisers in London. All we can do is to get the right to build them.

Mr. McKELLAR. I understand; but I just wanted to make it perfectly clear that during the life of this treaty Great Britain has the advantage of 19 to our possible 16.

Mr. REED. Exactly, Mr. President; just as a year ago she had the advantage of 15 to our nothing; and that was not the fault of the delegates to the London conference.

The Senator speaks of the great preponderance of naval testimony in favor of the 8-inch cruiser. Exhaustive hearings were held before the Foreign Relations Committee and before the Naval Affairs Committee. It was perfectly obvious that if those who believed in the treaty undertook to send about and get in a number of witnesses, they would simply be filibustering the treaty which they espoused. Consequently, after calling Admiral Pratt and getting a statement from Admiral Yarnell, the proponents of the treaty purposely refrained from calling admirals, such as Admiral Hepburn and Admiral Moffett, who were two of the advisers at London, simply in order to abbreviate the hearings. Since then, some of them have come out publicly in statements in behalf of the treaty, because they realized that it builds up a well-rounded navy, and does it on the most peaceable, friendly, possible basis with other countries. That is why the great preponderance of those who were summoned before these committees are people who are critical of the disposition of this cruiser problem; but I venture to say that if the testimony is read, the evidence of Admiral Pratt and the statement of Admiral Yarnell will compel belief as against the testimony of members of the General Board who had to admit, some of them, that they had never been to sea on an 8-inch cruiser; that they did not know the muzzle velocity of an 8-inch gun, or its penetration, or its range, or any of the other things that one must know in order to give—

Mr. ODDIE. Mr. President, will the Senator yield?

Mr. REED. Let me finish one sentence, please, in order to give an intelligent opinion on the relative value.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. REED. It was brought out that these 8-inch guns that are shown here can be fired just twice a minute in aimed fire, because they are machine-loaded. The projectile weighs 250 pounds, and it is too heavy for a human being to charge into the breech of the gun. The 6-inch gun, on the contrary, has been fired as rapidly as eleven times a minute in battle practice in our fleet.

Mr. HALE. Mr. President, would the Senator like me to interrupt him now to correct his figures, or later on?

Mr. REED. I get that from admirals of the Navy who have been in command of the fleet. If the Senator knows better, I shall be very glad to have him correct us all.

Mr. HALE. I have my information from the Chief of the Bureau of Ordnance.

Mr. REED. Perhaps, while the Senator is looking for his information, it would be all right if I should go ahead.

Mr. HALE. Yes; but I have it right here, if the Senator would prefer to have it.

Mr. REED. All right; let us have it.

Mr. HALE. This corrects several statements which have been made, including a statement that was made in the Senator's address over the radio, and I am sure the Senator would want nothing but facts to be given to the American people.

I read a letter to me from Admiral Leahy, Chief of the Bureau of Ordnance, dated June 26, 1930:

In reply to your request of this date for information in regard to the rapidity of fire of 6-inch and 8-inch guns and the range at which these guns will penetrate armor of existing foreign cruisers, I will endeavor to make specific reply to your questions, as follows, based on the best information available to the Bureau of Ordnance.

In order to make specific replies to questions as to the range at which the armor of cruisers of foreign design can be penetrated, it is necessary to assume that they carry some certain thickness of side and deck armor, and for this purpose it would seem satisfactory to take from a British publication, *Jane's Fighting Ships*, the 3-inch vertical armor about the ammunition hoists, and the 3-inch deck armor that this publication states is carried by British 10,000-ton cruisers of the *Keat* class, completed in 1927 and 1928.

Q. At what range will a 6-inch and an 8-inch projectile penetrate 3-inch vertical armor and 3-inch deck armor?—A. At a normal angle of impact, 6-inch guns will penetrate 3-inch vertical armor at all ranges less than 13,400 yards; 8-inch guns at all ranges less than 29,000 yards.

Mr. REED. I have not even mentioned the penetrative power of the two projectiles. Why does the Senator produce all that?

Mr. HALE. Because the Senator spoke of it in his radio speech.

Mr. REED. I was talking about rapidity of fire, and the Senator gets up to tell the people of the United States what the trouble is, and then he reads a long letter about the penetrative power of projectiles.

Mr. HALE. No; I said that I would read the letter. If the Senator would allow me to complete the reading of the letter, it would also answer his other misstatements.

Q. What is the rate of fire that can be delivered by 6 and 8 inch guns mounted in turrets?

Mr. SHORTRIDGE. Who furnished the letter?

Mr. HALE. I have already said the Chief of the Bureau of Ordnance, Admiral Leahy, furnished it.

Q. What is the rate of fire that can be delivered by 6 and 8 inch guns mounted in turrets?—A. Six-inch guns mounted in turrets on American cruisers of the *Omaha* class can fire at a rate of six shots per gun per minute.

Eight-inch guns, as mounted in turrets on American 10,000-ton cruisers, can fire at a rate of four shots per gun per minute. (In this connection it is necessary to state that at long ranges where the ship's period of roll would have more effect on the salvo interval the 8-inch gun would probably fire only three shots per minute.)

Mr. REED. Mr. President—

Mr. HALE. I might as well finish the letter.

Mr. REED. If the Senator wants the floor, he can have it.

Mr. HALE. Mr. President, I do not want the floor, except to finish what I am reading.

Mr. REED. The Senator has not even answered the statement I made. I said that 6-inch guns had been fired in battle practice 11 times a minute. The Senator reads a letter from the Chief of Ordnance which tells how fast they can be fired out of hypothetical turrets under other conditions.

Mr. HALE. Did not the Senator also say that the 8-inch could only be fired twice a minute?

Mr. REED. I did; yes.

Mr. HALE. There is no condition under which that is so.

Mr. REED. That was testified to by Admiral Pratt, who is the commander of the Battle Fleet.

Mr. HALE. He is not an ordnance officer.

Mr. REED. It was also testified to by half a dozen other admirals of the General Board. No witness before the Foreign Relations Committee differed from that, and I supposed it was true.

Mr. HALE. I think not now. That is the trouble—

Mr. REED. The statement I made was that in battle practice our 6-inch guns had been fired eleven times a minute, aimed shots; and I stick to that.

Mr. HALE. Everybody knows that that rate is with a gun out on the open deck, without any turret about it.

Mr. REED. That means fired from a gun behind a barbette.

Mr. HALE. What does the Senator mean by a "barbette"?

Mr. REED. Why can not the Senator, in fairness to the American people, whom he is enlightening, admit that the contradiction he mentions relates to fire from turrets, and that the statement I made is correct?

Mr. HALE. Because it is not correct, even under those circumstances.

Mr. REED. Mr. President, I will resume the floor in my own right.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. REED. I sat here and listened for nearly three hours to the Senator's speech without one single interruption, although

it seemed to me that occasionally he was in error. Now, perhaps he will let me have the same privilege for about five minutes.

The Senator has not told the Senate the relative value of the two cruisers he has been discussing. It is testified by everyone, opponents of the treaty as well as proponents, that in the inner screen of the fleet, in fleet action, the 6-inch cruiser is immensely superior to the 8-inch, because of the greater rapidity of its fire, the larger number of guns it usually carries, and the complete effectiveness of its projectile against both destroyers and submarines. The only question, then, left for determination is the relative value of the two in the distant screen, and in the commerce protection or commerce raiding work which a cruiser is commonly expected to perform.

For weeks we heard testimony, not only of these admirals, but of ordnance experts like Captain Smyth, of construction experts like Captain van Keuren, of the people who have studied the effect of these projectiles, and we discovered some very interesting facts.

In the first place, we discovered that there is no such thing as a properly armored 8-inch cruiser; that every one of the 8-inch cruisers is overgunned and underarmored. The thickest armor of any of them is a 3-inch belt, excepting that one or two of the American later numbers provide, I believe, for a belt of 4½ inches on the beltway over the boilers and machinery. Instead of having a deck of 3 inches of armor, as indicated by the Senator, the heaviest armed of all of our American 8-inch cruisers has a 2¼-inch deck over the magazines, and most of them have only 1 inch of armor on that deck over the boilers and machinery. They are easily penetrable, not only by the 6-inch guns, but by the 4 and 5 inch guns carried on the lighter craft.

They are like the *Ersatz Preussen* of the German Navy, which carries 11-inch guns and is only 10,000 tons in displacement, but it has surrendered at every other element in order to carry that extra weight of guns, and so have these 10,000-ton cruisers; and many of the admirals admit it.

There never has been a hostile shot fired in a naval battle at a range greater than 20,000 yards. Most of the witnesses who testified before us admitted that up to 20,000 yards the 6-inch gun would, in all probability, be the superior. Captain Smyth at London, when asked to express his opinion of the relative value of the two cruisers in an engagement within 20,000 yards, testified that the 6-inch gun cruisers, assuming the same displacement, would have about a 5-to-4 advantage over the 8-inch. Everybody admits that beyond 20,000 yards the 8-inch would have the advantage, but everybody also admits that there has never been a naval battle in which a shot was fired at that distance.

Mr. HALE. Will the Senator give a reference to the testimony showing that?

Mr. REED. That testimony was taken in London by the delegation.

Mr. HALE. Then I am sure we can not have it.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. REED. I yield. I want to be courteous in yielding, but I want to say a word or two occasionally.

Mr. McKELLAR. I am just going to ask a question. If the 6-inch guns are more desirable and are better for defense and shoot as far and as effectively as the 8-inch guns, why was it that the British members of the conference were so particular to limit America's building of that class ships? It seems to me that if the Senator's argument is correct, the British representatives, instead of dividing them into two categories, as they were divided, would have been delighted to have had America build all of these useless 8-inch-gun 10,000-ton cruisers.

Mr. REED. Some of their admirals said they would, and, as a matter of fact, the British willingly accepted an inferiority in the 8-inch-gun cruisers, believing, apparently, that they were not as good as we thought they were. Perhaps the British are right; perhaps we are right; anyway we have a superiority in that class of vessels.

Mr. McKELLAR. We will have after the treaty period terminates, but during the treaty period, as the Senator has already stated, Great Britain still has the superiority in that class of ships.

Mr. REED. The only way we could overcome that would be to have her sell a lot to us right now. If we had no treaty, her superiority would be very much greater, because under the treaty she scraps and we build. Without the treaty presumably we both build, and her present great superiority will continue.

To come back to the relative value. When we remember that about 12 hours out of the 24, on the average, are hours of darkness, in which, if ships meet and engage, they do so at very close range, at ranges at which every expert admits the 6-inch

gun has a great advantage because of its rapidity of fire and its ability to penetrate the other fellow's armor; when we remember all the times of fog and mist and low visibility on that account; when we remember that the shape of the earth is such that without control of the air you can not spot fire from either the 8 or the 6 inch gun cruiser at a distance of more than 20,000 yards; when we remember that you have to have control of the air in order to use your cruiser and its firing power beyond 20,000 yards, we can readily see that the supremacy of the 8-inch cruiser is not as 8 is to 6 by any means whatsoever. Out at the farther ranges, out around 13,000 or 15,000 yards, where in all likelihood such engagements would occur, the plunging fire of the 6-inch gun would penetrate the deck of the other ship and stand a good chance of sinking it.

We heard all that controversy for weeks, weeks here and weeks in London, and had to make some decision. Perhaps we decided wrongly. Perhaps these admirals of the General Board, many of whom do not know any of the range tables or the ballistic qualities of the 8-inch or the 6-inch gun, are right, and perhaps the unanimous judgment of the American delegation was wrong; but even if that is so, it only brings us up to the difference between three cruisers of 8-inch guns as against four cruisers of the same size, substantially, carrying 6-inch guns. It is because of that trivial difference, because of that insignificant difference, that they oppose this treaty.

The General Board recommended a settlement with Great Britain by which we would have 315,000 tons and Great Britain would have 339,000 tons of cruisers. We got actually 8,000 tons more than the General Board asked as against the British 339,000, which was the basis of both estimates.

In doing so we accepted the limitation of eighteen 8-inch cruisers as against the 21 which the General Board wanted. That is heralded in rhetorical phrases such as "the abandonment of an essential, basic, established American principle," accepting a limitation on the number of 8-inch cruisers we could have. Over and over again the changes are rung on that, that we abandoned an established American policy.

The General Board themselves proposed that we accept the limitation of 21. They proposed the abandonment of this established, basic, essential American policy in their own proposal, which said, "We are willing to be limited to 21." If limiting us to 18 is an abandonment of an established policy, why is not their proposed limitation to 21? It is perfectly unintelligible.

Mr. ODDIE. Mr. President, will the Senator yield just for one observation?

Mr. REED. I yield.

Mr. ODDIE. I do not want to go into detail at this time. The General Board has never agreed to a subcategory dividing the cruiser tonnage allowed to us into two categories, the 6-inch and the 8-inch gun cruisers. They have stuck to the 8-inch-gun cruisers right straight along against the 6-inch-gun cruisers, and so has Congress up to this time.

Mr. REED. The General Board suggested in its recommendation to President Hoover that we ask for 58,000 tons of 6-inch-gun cruisers, and that recommendation was submitted last summer. Actually we got 73,000 tons. If it is a sin and a base surrender of American interests to take 73,000 tons, then the General Board was guilty of fifty-eight seventy-thirds of that sin in the recommendation which they made to President Hoover last summer.

Mr. ODDIE. They made that, as I understand it, on the condition that we had to give up two of our 8-inch-gun cruisers. If they were forced to accept something in place of it, that is what they were willing to accept. Their policy has been for a long time to abandon the 6-inch-gun cruisers because they had concluded that the 8-inch-gun cruisers were the only type we need.

Mr. HALE. Mr. President, will the Senator yield?

Mr. REED. No; I am going to speak for myself a moment.

At any rate, if it is so treasonable for the American delegation to sign an agreement providing that we should have 73,000 tons of new 6-inch-gun cruisers, then it is hard to understand why the General Board, with its head full of established American policy and what not, should have suggested no later than last summer 58,000 tons of the same kind of ships to be built new. It does not seem to me that their own recommendations are consistent with the rhetoric with which they now denounce this treaty.

Mr. President, just a word further—

Mr. McKELLAR. Mr. President, before the Senator leaves that subject, will he be good enough to tell us why in cruisers alone were subcategories arranged?

Mr. REED. That is just the difference between tweedledum and tweedledee. Here comes the Navy board saying "We will take twenty-one 8-inch-gun cruisers. We would like 58,000 tons of 6-inch-gun cruisers, but you must not make two cate-

gories of cruisers." The very expression of their demands is a division into categories. The very statement of what they will accept is a division into categories. The very ultimatum—if one can imagine the Navy General Board giving an ultimatum to the President of the United States, but that is what they did—the very ultimatum they delivered—

Mr. JOHNSON. How did they do it—in writing?

Mr. REED. In writing.

Mr. JOHNSON. Where is it?

Mr. REED. The Senator saw it and put it in the RECORD, or asked the Senator from Arkansas [Mr. ROBINSON] to put it in the RECORD.

Mr. JOHNSON. Does the Senator say that was an ultimatum? Does he mean the September 11 document that was put in the RECORD by the Senator from Arkansas [Mr. ROBINSON]?

Mr. REED. I am quoting the Senator from Maine. He described it as an ultimatum. He told us that it was given as an ultimatum.

Mr. JOHNSON. I thought probably it was one of those documents that we are not entitled to, and if so I was going to ask for it.

Mr. REED. Perhaps the Senator had better ask the Senator from Maine [Mr. HALE] who described it as "an ultimatum" and told all about it in his speech when he was allowed to speak without interruption.

Mr. JOHNSON. I have not interrupted the Senator from Pennsylvania before. I beg his pardon for interrupting and I shall not do so again. I want to reply briefly to one or two of his observations when he has concluded.

Mr. REED. Very good.

Mr. HALE. I should like to have that privilege myself.

Mr. JOHNSON. Certainly.

Mr. REED. I must confess that I am at a disadvantage compared with my adversaries, because I have let them go ahead without interruption and they have pretty effectively put me off the tenor of my speech.

Mr. HALE. Mr. President, I made a prepared speech this afternoon. As is always customary before doing so I asked the Senate not to interrupt me. Under those circumstances a Senator could not have interrupted me if he had wanted to do so. The Chair would have sustained me if I had objected.

Mr. JOHNSON. May I make my apologies to the Senator from Pennsylvania? I simply want to make my apologies to him and to express to him the pleasure that is mine and the gratification that is mine that finally upon this floor somebody who made this treaty is speaking concerning it.

Mr. REED. I think I was irascible with the Senator from California when he did not deserve that I should be. I was irritated at other interruptions, but not by him. I did not mean to take it out on him.

Mr. McKELLAR. I hope the Senator is not taking it out on me.

Mr. REED. Mr. President, this really does not disturb me very deeply because I am going to speak on the treaty next Monday or Tuesday, and at that time I intend to have the floor in my own right and I am going to keep it.

Mr. JOHNSON. Fine!

Mr. REED. Any answer made to me then will have to be made when I get through. We are not going to have a running chorus then like that which we have had since I took the floor this afternoon.

Mr. President, just a few words further and I am through. The Navy General Board, it seems to me, makes itself merely ridiculous when it argues that cruisers must not be divided into subcategories, but says:

President Hoover, you may have our permission to agree to limit yourself to twenty-one 8-inch-gun cruisers and 58,000 additional tons of 6-inch-gun cruisers.

If that very statement is not a division of the cruiser class into two categories, if the emphasis that is placed on the value of one against the value of the other is not an unconscious division into categories, then it is pretty hard to say how it could be more effectively done. Everybody realizes that the two kinds of cruisers have different values. The whole debate here shows it. Surely it was not such a crime for the London conference to separate the cruiser category into classes A and B.

Mr. President, I hope when Senators argue that we have given up the ratio of 10 to 6 with Japan, when they argue that we have surrendered to Japan the right to have 7 to 10 of the smallest of the auxiliaries, they will remember that we had no such thing to surrender; that Japan had us better than 10 to 7 in both categories of cruisers; that it was she who surrendered; and that in substance what the treaty does is to provide that both Great Britain and Japan either stand stock still or

else reduce their tonnage during the treaty period, while the United States builds up in both of those categories until it has passed Japan and has parity with Great Britain. That in substance is what the agreement effects.

The very doing of that is bad for the dockyard situation in those two countries. Both Great Britain and Japan are cruelly scourged with unemployment problems at this moment. They can not lay off all their dockyard forces. They have got to go on and do some building, but the treaty provides further that while this inevitable building goes on to keep their dockyard forces going, for every ton they build they will scrap a ton. There is the answer to the argument that they stand still while we build up to 23 of these big cruisers. To keep their dockyards going they are going on to scrap ships and replace them ahead of the age limit, but by the treaty they agree to scrap them whenever they build the new tonnage. Does not that show how preposterous it is to argue that without the treaty they would stand still and let us build up to any such ratio against them?

If it costs a billion dollars to build up to the treaty limit—and I do not think it does, but accepting the statements of our adversaries—if it costs a billion dollars to build up to this relationship against two navies that are standing still, what would it cost the American public to build up to two navies that are growing throughout this period? What would it cost to build up to a relationship like this against two countries whom we have frightened by the rejection of any such treaty as this?

We would be spending many billions of dollars and we would be spending it for bad blood and ill feeling and probable war with two countries when our interests and their interests all call for peace. There is no reason on earth why peace should not persist beyond the lifetime of every human being on this earth between the United States and Great Britain and Japan. But we can worry them into war, we can frighten them into war, and any such jingo doctrine as adequate national defense meaning complete mastery of the sea is one of the ways calculated to do it.

Mr. President, the people of this generation have seen enough of that doctrine. We have heard the sword jingled by the German Emperor. We have seen him building without a treaty to try to equal the strength of Great Britain, and we have seen the havoc it brought upon the world. The idea that this Republic of ours should launch into any such baleful policy as that is almost unthinkable. It is strange to find such a doctrine preached by men who remember the agonies of the last war.

Mr. HALE. Mr. President, the Senator keeps inferring that I said that an adequate navy is a navy that could destroy any other navy. Where does the Senator get any such statement from my remarks? I have before me my prepared speech and I see nothing of the sort in it. I would like to have the Senator answer me because I do not like to be misquoted.

Mr. REED. I made notes of the Senator's speech as he was talking.

Mr. HALE. Surely the Senator's notes are not any better than my original document.

Mr. REED. I have not had the privilege of looking at the original document, but my notes show that almost at the beginning of his speech the Senator referred to or described an adequate national defense as equivalent to mastery of the sea. I do not think that is the exact quotation, but it was certainly the substance of his statement.

Mr. HALE. There is absolutely nothing of the sort in any statement I have made.

Mr. REED. The Record will show.

Mr. HALE. The Senator made the accusation. I should like to have him bear out his accusation.

Mr. REED. Would the Senator like me to hold the Senate in waiting while I read through a speech which took him three hours to deliver?

Mr. HALE. The Senator ought not to make statements unless he knows what he is talking about.

Mr. REED. I do know what I am talking about, and the Record will bear me out.

Mr. HALE. Perhaps it will be well for me to read again the first part of my speech and let Senators hear what I said.

Mr. McKELLAR. Mr. President, will the Senator yield to me a moment to ask the Senator from Pennsylvania a question? I want to assure him that it is asked in the most perfect good faith.

Mr. REED. I am sure of that.

Mr. McKELLAR. I want to get some information.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Tennessee for that purpose?

Mr. HALE. I yield.

Mr. McKELLAR. I find in a speech made by Commander Kenworthy in the House of Parliament on the 15th of May last these words:

I regret that an arrangement was come to between the British and American delegates to prevent any discussion of what is known as the freedom of the seas.

Mr. HOLFORD KNIGHT. What authority is there for that view?

Lieut. Commander KENWORTHY. They came to the decision not to discuss it. I am not giving away any secrets. The American delegates would not allow us to discuss it and there was a mutual understanding that this was too dangerous a topic to be discussed at the moment.

In view of the fact that one of the reasons why we went to war with Germany was her taking away from us the freedom of the seas, I am wondering what reason the American delegates had for not allowing the British delegates even to discuss freedom of the seas?

Mr. REED. Because, in the first place, we thought if we ever got launched into that subject we would never get through; we would have been in London yet if we had entered into a discussion of that subject.

The Senator's knowledge of history must have taught him that our view of the doctrine of the freedom of the seas depends on whether we are doing the blockading or whether we are being blockaded. The views we asserted during the Civil War were far different from the views we asserted when we were called upon to send goods past the British blockade in 1914. It is pretty hard to determine from American history just what the American policy is in such cases. Probably the law is made by the man with the biggest stick.

Mr. McKELLAR. We went to war twice with Great Britain about it, in one of them directly and in the other indirectly, and then we went to war with Germany about freedom of the seas in 1917. But the thing that struck me with peculiarity was that Commander Kenworthy said the British delegates were perfectly willing to discuss it and he regretted that the American delegates prevented the discussion of that very important question. I was wondering how that happened.

Mr. REED. There were lots of things we prevented. For example, there was a disposition to discuss permitted tonnage in airplane carriers. We prevented that. There was a disposition to limit the size of cruisers carrying 6-inch guns. We declined to consider that. There were a number of things we prevented.

Mr. McKELLAR. As I understand the Senator, then, Commander Kenworthy's statement is correct that the American delegates absolutely prevented any discussion of the subject of freedom of the seas at the conference?

Mr. REED. I do not know that we were alone in preventing it, but that was our position. We did not want to mix that question with any other.

Mr. HALE. Mr. President, I have spent a considerable portion of the afternoon talking about the offer of the General Board in their letter of September 11, and I thought I had explained to the Senate that the offer made by the board was one to which they were practically driven. When I called it an "ultimatum," I may have used the wrong word, but it was the lowest offer the General Board could possibly make which, in its opinion, would take care of the national security of the country. If there is any mistake so far as the word "ultimatum" is concerned, I used the word and not the General Board.

As a matter of fact, as I have already shown, I think, perfectly clearly, there is a vast difference between the offer of the General Board and the action of the delegates in providing for subcategories. The offer of the General Board was simply to take care of the situation until the end of the treaty. What the delegates have done is to incorporate a provision in the treaty from which we never will get away in the future, creating two classes of ships in the category, and that is what we will be confronted with when the next conference shall be held. The offer of the General Board simply took care of the situation up to the time of the end of the treaty.

So far as guns are concerned, Mr. President, I do not think I need do more than point to the two models of guns which are in the corner of the Senate Chamber. I think anyone will see that it is ridiculous to compare the little 6-inch gun with the great 8-inch gun. The 6-inch gun has an extreme range of about 28,000 yards, while the 8-inch gun has an extreme range of about 35,000 yards.

So far as deck armor—that is, the armor on the decks of vessels—is concerned—the horizontal armor—the Senator from Pennsylvania has given us the figures as to some of the ships. As a matter of fact, I do not think we ought to go into that question; I do not think we are able to find out from other countries just what their ships have in the way of armor and

I do not think we ought to disclose what the vessels of our Navy have. However, I can say that we will have very much heavier deck armor and side armor on the cruisers which we are about to build and which we are now building than on any of our cruisers now in existence; as I have shown from Admiral Leahy's letter, the 6-inch gun can not penetrate 3 inches of deck armor at any range under 23,500 yards, and the 8-inch gun can not penetrate at any range under 24,600 yards. There is a slight difference between the two in that respect; but the 8-inch gun has all the range from 24,600 yards up to 35,000 yards in which it can penetrate, while the other vessel has only from 23,000 yards up to 28,000 yards, which is only about 4,500 yards.

It is also fair to say that at the extreme range of either ship accuracy of fire can not be maintained. So it is only within a very short range that the 6-inch gun can pierce 3-inch deck armor at all.

Mr. SHORTTRIDGE. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from California?

Mr. HALE. I yield.

Mr. SHORTTRIDGE. I understood the Senator to state that it would not be wise for us to disclose the thickness of the deck armor of certain of our fighting craft.

Mr. HALE. No; I think not.

Mr. SHORTTRIDGE. The Senator does not think it would be wise to do so?

Mr. HALE. No.

Mr. SHORTTRIDGE. May there not be many other things which it might not be wise to disclose to other nations, or does the Senator limit the withholding of information merely to the armor of our vessels?

Mr. HALE. I think we all know, Mr. President, pretty much the kind of information that is not supposed to be given out because it involves military secrets.

Mr. SHORTTRIDGE. There may be such things, then, as military secrets; the Senator admits that to be so?

Mr. HALE. Yes; technical military secrets. We do not obtain such information from other nations, and there is no reason why we should give it to them as to the vessels of our Navy.

Mr. SHORTTRIDGE. Precisely.

Mr. HALE. Mr. President, in regard to the difference between the 6-inch gun and the 8-inch gun, the 6-inch gun fires a 100-pound projectile—such a projectile as is on exhibition in the corner of the Senate Chamber—while an 8-inch gun fires a 250-pound projectile, which, loaded, makes the weight 260 pounds in the case of the 8-inch-gun projectile and about 105 pounds in the case of the 6-inch-gun projectile.

There is no question about the explosive effect of the charges of the two guns, and there is no question about the striking force of the two. The 8-inch gun has a striking force about three times that of the 6-inch gun.

Six-inch guns at the present time are mounted in unprotected turrets, as shown by the model there [indicating], containing two guns; but all the testimony before the Naval Affairs Committee was that in the future, if we go ahead with the building of 6-inch-gun cruisers, we will put the guns into regular turrets, and those turrets will be armored as are the turrets of 8-inch-gun cruisers. It is not safe to have them fired from the open deck, as, in that event, they are too much exposed to air-plane attack and to the effect of shell fire.

When they are fired in turrets—and that is where they will be fired and will be mounted in the future—the 6-inch gun can be fired at a rate of 6 shots per minute, while the 8-inch gun in turrets can be fired at the rate of 4 shots per minute. That is for short ranges. For long ranges, where the roll of the ship has to be taken into consideration, it has been stated, I think by Admiral Leahy, that the rate of fire of the 8-inch gun would be slowed up to about 3 shots a minute, which would be half the rate at which the 6-inch gun could be fired at long range.

Mr. SHORTTRIDGE. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from California?

Mr. HALE. I yield.

Mr. SHORTTRIDGE. How about hitting the enemy? I suppose the shot is fired in order to hit the enemy.

Mr. HALE. All the testimony is to the effect that the 8-inch gun at long ranges is a much more accurate firing gun than the 6-inch gun.

Mr. SHORTTRIDGE. And the projectile will carry to and do damage at what distance?

Mr. HALE. It will do damage wherever it hits. Its ultimate range is 35,000 yards.

Mr. SHORTTRIDGE. What is that in miles, so that we may have it clearly in our minds?

Mr. HALE. About 17½ nautical miles or a little more than 19 land miles.

Mr. SHORTTRIDGE. But in close quarters the 6-inch guns would be more effective, would they not?

Mr. HALE. I do not think they would be more effective in close quarters. While there is greater rapidity of fire in the case of 6-inch guns, the actual shots probably are not as effective as those of the 8-inch guns. Both will pierce armor within a certain distance. For instance the 6-inch gun would pierce 3 inches of armor within 13,600 yards, and 4 inches of armor, which we will probably have on some of our cruisers, only within 10,000 yards.

Mr. SHORTTRIDGE. Something would depend, would it not, on seamanship, on the men in control—the Paul Joneses, the Lawrences, the Farraguts, the Schleys, and the Sampsons? Would not something depend on them?

Mr. HALE. I am now giving the ranges for the respective guns.

Mr. SHORTTRIDGE. I understand that and I have heard that until I am weary. I say, however, that something depends upon the genius and the seamanship of the men in control, their maneuvering ability, does it not?

Mr. HALE. I thought we were talking about the actual accomplishment of the guns and what they would do.

Mr. SHORTTRIDGE. I believe the Senator has been talking of that.

Mr. HALE. A gun, of course, if it were not properly aimed would probably not hit the mark.

Mr. SHORTTRIDGE. That is probably true.

Mr. HALE. The 6-inch gun, as I have said, will pierce 4-inch armor within 10,000 yards, while the 8-inch gun will pierce it up to 24,000 yards. The 6-inch gun will not pierce 3-inch armor at over 13,600 yards, while the 8-inch gun will pierce it up to 29,000 yards.

The 6-inch gun has only an advantage over the 8-inch gun on account of its rapidity of firing, and for certain uses, for instance, for use with the fleet. As the Senator from Pennsylvania has said, for the protection of the destroyer screen it may be better than the 8-inch gun. There is no reason for using an 8-inch gun for work that a smaller gun may do, and, further, the 6-inch gun can be fired more rapidly than can the 8-inch gun. However, several of the witnesses before the Naval Affairs Committee testified that, even if they had the choice, they would rather have 8-inch guns for all work with the fleet. Obviously, we have these cruisers for other purposes than to act for defense of the destroyer screen with the fleet; and for all other purposes for which cruisers can be used, the testimony has been almost unanimous to the effect that the 8-inch-gun ships are the sort of ships we need.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the President of the United States, which will be read.

The message was read, ordered to lie on the table, and to be printed as a document (S. Doc. No. 216), as follows:

To the Senate:

I have received Senate Resolution No. 320, asking me, if not incompatible with the public interest, to submit to the Senate all letters, cablegrams, minutes, memoranda, instructions, and dispatches, and all records, files, and other information touching the negotiations of the London naval treaty.

This treaty, like all other international negotiations, has involved statements, reports, tentative and informal proposals as to subjects, persons, and governments given to me in confidence. The Executive, under the duty of guarding the interests of the United States, in the protection of future negotiations, and in maintaining relations of amity with other nations, must not allow himself to become guilty of a breach of trust by betrayal of these confidences. He must not affront representatives of other nations, and thus make future dealings with those nations more difficult and less frank. To make public in debate or in the press such confidences would violate the inviolable practice of nations. It would close to the United States those avenues of information which are essential for future negotiations and amicable intercourse with the nations of the world. I am sure the Senate does not wish me to commit such a breach of trust.

I have no desire to withhold from the Senate any information having even the remotest bearing upon the negotiation of the treaty. No Senator has been refused an opportunity to see the confidential material referred to, provided only he will agree to receive and hold the same in the confidence in which it has been received and held by the Executive. A number of Senators have availed themselves of this opportunity. I believe

that no Senator can read these documents without agreeing with me that no other course than to insist upon the maintenance of such confidence is possible. And I take this opportunity to repeat with the utmost emphasis that in these negotiations there were no secret or concealed understandings, promises, or interpretations, nor any commitments whatever except as appear in the treaty itself and in the interpretive exchange of notes recently suggested by your Committee on Foreign Affairs, all of which are now in the hands of the Senate.

In view of this, I believe that to further comply with the above resolution would be incompatible with the public interest.

HERBERT HOOVER.

THE WHITE HOUSE, July 11, 1930

Mr. NORRIS. Mr. President, I desire to offer a proposed reservation, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The proposed reservation will be read for the information of the Senate.

The legislative clerk read the reservation, as follows:

Reservation proposed by Mr. NORRIS to the treaty for the limitation and reduction of naval armament signed at London on April 22, 1930, by the plenipotentiaries of the President of the United States of America; the President of the French Republic; His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India; His Majesty the King of Italy; and His Majesty the Emperor of Japan, submitted to the Senate by the President of the United States on the 1st day of May, 1930

Whereas in the consideration of said treaty the Senate, on the 10th day of July, 1930, requested the President of the United States to submit to the Senate all letters, cablegrams, minutes, memoranda, instructions, and dispatches and all record files and other information touching the negotiations of said treaty; and

Whereas the President of the United States has declined to comply with said request, and the Senate therefore, in acting upon said treaty, has been compelled to do so without any opportunity to give consideration to the letters, memoranda, and other documents and communications leading up to the drafting of said treaty or in negotiating the same: Therefore be it

Resolved by the Senate, That in ratifying said treaty the Senate does so with the distinct and explicit understanding that there are no secret files, documents, letters, understandings, or agreements which in any way, directly or indirectly, modify, change, add to, or take away from any of the stipulations, agreements, or statements in said treaty; and that the Senate ratifies said treaty with the distinct and explicit understanding that there is no agreement, secret or otherwise, expressed or implied, between any of the parties to said treaty as to any construction that shall hereafter be given to any statement or provision contained therein.

The PRESIDING OFFICER. The proposed reservation will lie on the table and be printed.

Mr. ROBINSON of Indiana. Mr. President, I have in my hand a copy of the New York American of Sunday, July 6, 1930, containing an article prepared by the junior Senator from Nevada [Mr. ODDIE]. The article is entitled "Pact Leaves United States Merchant Marine Defenseless."

The article is especially well written and illuminating, and therefore I ask unanimous consent that it may be incorporated in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

PACT LEAVES UNITED STATES MERCHANT MARINE DEFENSELESS—EIGHT-INCH GUN CURB PUTS OUR SEA POWER AT MERCY OF BRITAIN AND JAPAN—AMERICAN DELEGATES TO LONDON CONFERENCE IGNORED SOUND ADVICE OF OUR BEST NAVAL EXPERTS AND WERE OUTWITTED AND OUTGENERATED BY DELEGATES OF FOREIGN POWERS

(By TASKER L. ODDIE, United States Senator from Nevada and member of the Senate Naval Affairs Committee)

WASHINGTON, July 5.—Would that Washington's prophetic words of warning in which he emphasized the necessity for developing and maintaining a strong naval policy in the interest of peace and the protection of our foreign commerce, which to this day has upheld our welfare, honor, and national defense, had been remembered by those who represented us in London in the preparation of the naval treaty.

We as a nation have reached a high state of development and prosperity. Let us not take a backward step which would result in regarding our national progress, ultimately forcing us to accept a position of inferiority with respect to other nations.

Although the treaty was inspired by noble, patriotic, and humanitarian motives, I attribute the serious errors which it contains and which threaten our national security and self-respect to those representing the foreign governments at the conference.

In response to their own national interests, they were successful in having included in the treaty provisions which would strengthen their

naval establishments and correspondingly weaken ours to a point far below the standards set at the Washington conference in 1922 when the 5-5-3 ratios were determined.

OUTWITTED—"OUR DELEGATES FAILED TO HEED NAVAL EXPERTS"

It is apparent that the delegates of the foreign governments at the London conference obtained and acted upon the advice of their best technically trained naval experts and consequently outwitted and outmaneuvered our delegates, who failed to follow the same sound and logical course of procedure.

In fact, the published hearings on the London treaty, before the Senate Naval Affairs Committee, leave no room for doubt that our delegates not only failed to accept but actually refused to follow the naval policy of the United States, as adopted by a large majority of its ablest naval officers, the best authorities in the world on this subject.

The American public has not yet had sufficient opportunity to study and formulate a mature judgment of the far-reaching and serious consequences of the treaty in its present form. The public interest demands most thoughtful consideration of its provisions which would adversely affect our future welfare and national security. A careful analysis of the treaty should be made by the American people before our national security and self-respect have been jeopardized through its premature ratification.

The treaty in its present form would substantially lessen our ability to maintain our national honor, dignity, self-respect, and protection. The best safeguard to the maintenance of honorable, permanent peace lies in the preservation of our time-honored and proven naval policy.

Our delegates in London made a most serious error in not resisting the demands of Great Britain and Japan that the treaty contain the principle of dividing cruisers into two subcategories of 6 and 8 inch gun cruisers each. Great Britain and Japan thus won the contest they have been persistently carrying on for some years to restrict the building of 8-inch-gun cruisers by our country.

Some of the proponents of the treaty recently have stated publicly that the principal objection of its opponents lies in the difference in the size of guns of three cruisers. The best naval opinion in the world, as recorded in the published hearings, demonstrates that this is a highly inaccurate and misleading statement.

Some of the proponents of the treaty recently have stated that our principal concern is in maintaining only a strong enough naval force to guard our own shores in case of war. Such a policy is un-American, shortsighted, and shows a complete disregard of our obligations to protect adequately our commerce and maintain our national defense.

The London treaty will weaken our national defense to a material degree. It is admitted by overwhelming evidence that the 8-inch-gun cruiser is superior to the 6-inch-gun cruiser in actual combat and in commerce protection. Especially is this true when we consider the fact that under the Washington treaty we were prohibited from fortifying our naval bases in the western Pacific.

The 5-3 ratio with Japan was based on this concession on the part of our country. The 8-inch-gun cruiser can outshoot the 6-inch-gun cruiser by about 5 miles and carries a shell about twice as heavy. This leaves no room for argument as to the relative merits of these two types of cruisers.

Much misinformation has recently been given the public regarding the relative combative and protective merits of these two types of cruisers. The real reason for building the ten 6-inch-gun cruisers has been withheld in these statements.

In 1916 our enlarged Navy building program was authorized. This included, besides battleships, destroyers, and submarines, six powerful battle cruisers of 33,000 tons each, possessing extremely high speed and carrying 16-inch guns.

In that same program was included the ten 6-inch-gun cruisers of the Omaha type which we now have, as a complement to them, and which would have established a balance in the combat strength of the fleet. No 8-inch gun cruisers had been built for any of the navies of the world at that time.

Under the terms of the Washington conference in 1922 we were obliged to abandon four of these battle cruisers and the other two were converted into airplane carriers. When we were forced to abandon the battle cruisers we started to build all 8-inch gun 10,000-ton cruisers under the limitations imposed at the conference. Great Britain and Japan since 1919 have built a number of 8-inch-gun type of cruisers.

SIX-INCH GUNS—NONE ORDERED FOR UNITED STATES SHIPS SINCE 1919

Since 1919 our Navy General Board has not recommended the building of any but 8-inch-gun cruisers, and has recommended that as a naval policy no more 6-inch-gun cruisers should be built.

Great Britain and Japan have each retained three battle cruisers, of which we have none. These are of immense value to them in the strengthening of their navies. Against the 8-inch-gun cruiser type the 6-inch-gun cruisers are of comparatively small value, especially in commerce protection.

All of this emphasizes the great importance of maintaining our right to build the number of 8-inch-gun cruisers which our Navy Board and Congress have recommended and authorized.

Great Britain, on her cruisers and on her fast merchant ships which are ready for quick conversion, could mount about four times as many 6-inch guns as can the United States on her cruisers and fast merchant ships.

In case our country should be unfortunate enough to become involved in war, the protection of our ocean-borne commerce, upon which we would have to depend in successfully carrying on a war, would require an adequate number of 8-inch-gun cruisers, of which, under the terms of this treaty, we would be deprived.

In determining on our policy of national defense we must differentiate between parity in actual fleet combat strength and in being amply prepared to carry on dispersed operations in the protection of our merchant marine in distant waters.

A careful study of these problems will show the reason why Great Britain and Japan desire us to restrict our building of 8-inch-gun cruisers with long cruising radius for use in distant areas not controlled by the actual battle fleet.

In addition to the many naval objections the adoption of this treaty, as drawn, will result in a lessened respect and admiration for the United States by foreign countries generally and will, therefore, constitute a great liability to the maintenance of the international good will which we now enjoy and upon which the maintenance of permanent world peace so greatly depends.

Mr. JOHNSON. Mr. President, I want to express just a word about the message which has just been read.

Upon what times has this Republic fallen, from what series of incidents has the Senate developed such a futility that it can not be permitted to have for its information that which it must have in order to act with wisdom and intelligence?

I wish the Senator from Pennsylvania [Mr. REED] had not left the Chamber for a moment; and I trust that he may return while I make a statement or two in respect to documents.

There have been handed to this futile Foreign Relations Committee of ours, by the Secretary of State, certain papers upon which the same embargo was put by him as is put in this message of the President of the United States upon every paper relating to the London conference. I charge here, upon my responsibility as a United States Senator, that there is not a line or a syllable in a single paper that thus has been transmitted to the Foreign Relations Committee that could have, by the remotest application, any effect such as it is asserted in the message of the President of the United States the documents and the papers not handed to us would have if they came to us. I challenge, sir, denial of that statement from those who represent the administration upon this floor. I challenge any man upon this floor who is a member of the Foreign Relations Committee and who has seen the papers that were submitted to us by the Secretary of State to point to an utterance of any kind or character that is contained in those documents or papers which could not be published to the world without inflicting damage upon the interests of the Republic of the United States or upon its international relations.

Tell me, sir, that we must not have the very proposition that destroys our Navy! Say to me, sir, acting in my capacity as a United States Senator from the great Pacific coast, where is to be the scene of world activity in the days to come, that I may not see the counterproposal of the Japanese Government to the proposition that is made by the United States Government!

What is it that here we are met with? Secret diplomacy; the Old World diplomacy; the diplomacy that we thought years ago our country was rid of. We are back again, under this administration, with secret diplomacy and the denial of the right of those who participate in treaty making of the documents and the papers which lead to that treaty making.

The Senator from Pennsylvania [Mr. REED] has now come into the Chamber. I said a moment ago, and I challenge contradiction of the statement, that in the papers that were submitted to the Foreign Relations Committee by the Secretary of State there is not a line or a syllable that would arouse antagonism in any government on the face of the earth or affect in the slightest degree our international relations.

Mr. REED. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. JOHNSON. I do.

Mr. REED. That is probably why those were submitted and others withheld.

Mr. JOHNSON. That is why, says the distinguished Senator from Pennsylvania, those were submitted and the others were not; and that is why the Secretary of State wrote into the order of submission, "You can see them only confidentially, and you must treat them with a confidence that is inviolate," so that if you read them, as I have, I can not discuss them with my colleagues nor utilize them upon the floor.

The Senator from Pennsylvania did not mean his answer. It was the quick retort of the administration, but the quick retort that had neither logic nor reason in it.

Now, sir, this particular instrument that comes to us marks an era in treaty making so far as the United States Senate is concerned. It may be deemed wholly appropriate for men upon this floor, standing here in the position that once was the greatest in all this land, to bow the knee and bend its pregnant hinges that thrift may follow fawning. It may be that the glory that once was that of the United States Senator has faded and has paled into insignificance, and that any lashing and any whipping that may be accorded us we accept, and either thank God that it is not harsher or lick the hand that beat us. But, sir, if there are men in this body who believe that a constitutional duty rests upon Members of the Senate, if there is the spirit of those old patriots who made this body what it was, and wrote this country's history in the glory of the skies for all the world to see—if there are yet men of that caliber and of that kind in this body, neither supinely nor lying down will they take the lashing that has been accorded them in telling them of their impudence in asking for documents which they have a right to see, and denying them the particular instruments and the particular instrumentalities upon which their duties may be performed.

Mr. President, this message calls for more than mere suggestion of mine or even denunciation upon the part of any man in this Chamber. It calls, sir, for action by this body, for the assertion of a manhood that raises its head high; and, caring naught for aught else than the oath that we took as Senators of the United States, caring naught for aught else than doing our duty as God gives us the light to see that duty, it calls upon us for action in relation to this message and in relation to the information to which we are entitled; and we ought not supinely to permit such a message to go by without any action at all.

Mr. President, I rose for another purpose entirely. I rose because I have assumed that possibly it was the intention of the Senator from Idaho [Mr. BORAH] to keep us here until 5 o'clock, to make some few brief remarks upon the message of the President of the United States that was presented to this body last Monday. I rose, too, sir, to say a word or two to the Senator from Pennsylvania [Mr. REED] in reply, if I could, to what he had just said. He will never find me unsympathetic, nor will any other man find me unsympathetic, when he believes that he has been touched upon the raw by anything that may have been said concerning him and he rises to justify himself and present his cause. I listened, therefore, intently to what he said, but may I say to him gently, and in the utmost friendliness, the difficulty arises not from the fact that there is an utterance by one or another of us concerning this treaty. The difficulty arises in this instance—and I say it in kindly fashion and without criticism—because of the dual capacity in which the Senator from Pennsylvania is acting to-day and has been acting in the past.

I recognize that that has been done on numerous occasions. I recognize that because it has been done there ought probably to be no criticism of it now; but I do say, Mr. President, that a Senator of the United States who is to pass upon a treaty as a Senator of the United States ought never to be a plenipotentiary in the making of that treaty. It is not anything that I cavil at particularly now. I do not criticize personally the delegates that went to London. That is far from my purpose; but the situation that that presents is an anomalous one, and I trust and I hope that so long as we are here as a body during the term that I fill never again will that sort of situation be presented.

It is not to the discredit of any individual, of course. Naught of criticism would we indulge concerning our colleagues. I seldom do that. That is not the problem. But when you take Members of this body, who ultimately are to sit in judgment upon a treaty and make them the plenipotentiaries in the first negotiations and in the execution of a treaty, then, sir, you have presented a paradox in treaty making that is bound to lead to difficulties such as have been suggested.

Now, sir, a word or two in response to what the Senator from Pennsylvania said. He need not feel, it seems to me, personal hurt because criticism is leveled at this London pact.

Think a moment. We had a Washington pact. We had, as we thought, the greatest men in this Nation as our negotiators. We had Mr. Hughes, Mr. Root, Mr. Lodge, and Mr. Underwood. Where is there to-day a defender of the Washington conference? Both sides in relation to this treaty, both sides, if I have read aright their public utterances, indulge in exactly the same criticism regarding the Washington treaty, not in personal criticism of the negotiators of that treaty; that is not

the point; but they indulge in criticism of the treaty which finally came out of the Washington conference.

Then we must remember, in the language of Mr. Rogers, that "we never lost a war and we never won a conference." So the fact that there might be some suggestions concerning this treaty which do not sit well upon those who made it should not lead them to take it as a personal affront. They should regard it wholly as a legitimate exercise of the men upon this floor to do their duty respecting the treaty, and to criticize it as they deem appropriate.

One thing I want to mention concerning cruisers. I never—

* * * could distinguish and divide
A hair 'twixt south and southwest side.

I know nothing of ballistics. I do not pretend to understand whether a 6-inch gun at 16,000,000,000 yards will penetrate 14 inches of armor or whether an 8-inch gun at 17 miles will penetrate a great Swiss cheese. I do not pretend, sirs, to any particular mechanical knowledge of that kind, and I would not attempt to discuss in detail anything of that sort relating to the character of guns and the like. But there are one or two significant facts about these cruisers which Senators should keep in mind, and keep in mind all the time.

Three cruisers, say they, are all the difference between Great Britain and ourselves. But it was three cruisers which Great Britain said we could not have, or, if we insisted upon them, we could not have a treaty.

They may not be of much value, according to what was asserted, but it was upon them that Great Britain made her stand; and, as I will show when the argument upon this question progresses, we are dealing here not with three cruisers at all but with a vastly greater number of cruisers. The undoubted fact is that the conference would have been broken up if we had insisted upon the 21 cruisers which our Navy General Board desired. Keep that in mind.

When these gentlemen talk about the 6-inch gun being a better thing than the 8-inch gun, I am not able to meet them in debate, like the distinguished Senator from Maine, who knows more about the Navy than any other man upon this floor, but I do know that when the treaty was written it was written so that for each 10-inch gun we were given one and one-half times as much in tonnage of 6-inch guns. Of course, the 6-inch guns are better! That is why they gave us one and one-half times as much, in 6-inch guns if we wished it, as will be seen if Senators will look at the treaty. Of course, 6-inch guns are better, and 6-inch-gun cruisers are better. That is why they would have smashed the whole thing to smithereens if we had not consented to accept their figures!

Sir, remember, no matter how often my friend from Pennsylvania may deride it, that under the terms of this treaty until the end of 1935 we have, not 18 cruisers, which MacDonald offered us, not 18 cruisers, which our delegation asked in its first proposal to the British, and not 18 cruisers, which our delegation demanded in its proposal to the Japanese. We have up to 1936, under this treaty, 15 cruisers, and in 1935 we are to have another conference, and Japan makes the reservation that then she shall not be bound by any cruiser provisions in our favor. I do not quote the reservation with accuracy as to phraseology, but that is the fact.

So that there is a great deal more than three cruisers in the first instance, and somebody on the other side of the game thought these cruisers were of extraordinary importance, and that under no circumstances could they yield.

Thus it is with many provisions of the treaty. Into detailed discussion I will not go. May I congratulate the Senator from Pennsylvania upon the statement he made to-day that he expects to speak on Monday next. I am delighted that that is so. I think it is a charming thing that finally, on the 13th day of July, 1930, the treaty having come to us on the 1st day of May, 1930, the Senator from Pennsylvania, one of its sponsors and one of its negotiators, consents to speak to the United States Senate. So I am delighted, and shall hear him with the utmost pleasure.

Mr. REED. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. REED. The 13th day of July is Sunday. I shall not speak that day.

Mr. JOHNSON. The Senator will not speak Sunday? That is fine. It gives him one more day. I think he is right. Another day of preparation upon the treaty he needs, and he ought to have it. So this is the situation which confronts us in respect to the treaty.

Is it the purpose to continue until 5 o'clock to-night? If it is, I am ready to proceed, not to proceed with the particular matter in which I have been indulging, but I have been prepared to

accept the inevitable whenever the inevitable shall arise, and so I will go forward.

Mr. President, I am sorry that I am the one to whom has fallen the lot to respond to the message of the President of Monday last. I preferred that somebody else should do that work. No other individual has done it. Somebody, I think, ought to do it, and, sir, I am shrinking from no obligation that is mine in this contest, and I do not shrink from a response, even feeble though it may be, to this message.

Just keep the dates in mind. May 1 the treaty came to the Senate with not a word of report, not a line of explanation, not a single syllable of elucidation. It came to us with just a letter transmitting it to us; that was all.

Two Members of our body, both distinguished, who had written the treaty, sitting upon the Foreign Relations Committee which reported it, made no report of any kind or character. The distinguished chairman of the Foreign Relations Committee sends it into the Senate without a single, solitary word.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. McKELLAR. The Senator just said something about the Foreign Relations Committee of the Senate. The Senator is mistaken about that. That has been changed. The President in his message has changed it to the "Committee on Foreign Affairs."

Mr. JOHNSON. Perhaps he is right. It is a pretty useless committee henceforth. Does the Senator mean that the President has assumed himself to be the committee on foreign affairs? I did not understand.

Mr. McKELLAR. No; I read from his message:

And in the interpretive exchange of notes recently suggested by your Committee on Foreign Affairs.

I did not know that there was any such committee of the Senate. I had always assumed that the name of the committee was "Committee on Foreign Relations."

Mr. JOHNSON. May I say to my friend that he will know still less of it in the future. There is no need of any such thing. There is no need of any Senate, no need of any treaty, hereafter. We need neither Foreign Affairs Committee, Foreign Relations Committee, or Senate. Just let us get our orders, and getting our orders, let us act. That is all that is essential in the days to come.

Mr. President, as I remarked a moment ago, I am sorry that it fell to my lot to answer or to attempt to answer the message of the President of the United States. I do it, though, because I feel that various gentlemen who represent various departments have misinformed the President of the United States, and it is my very earnest wish that, correcting the misinformation he has suggested in his message, I will have performed a service for him and for my brethren here as well.

The London treaty was sent to the Senate by the President May 1, 1930. Aside from the hearings before the committees, the first official utterance in favor of this treaty was a presidential message of July 7, 1930.

Did Senators ever hear of such a thing before? I ask those who are older members of the Foreign Relations Committee, was it ever before the fact that a treaty of this magnitude was sent in on the 1st of May, and then we never had an official utterance in regard to it until as much time elapsed as between the 1st of May and the 7th of July?

The opponents have filed their objections to it and have presented in writing their arguments against it. Two members of the Foreign Relations Committee, which reported without a single line of elucidation or explanation of the treaty, were plenipotentiaries in its negotiation. Sufficient time has elapsed, even though in the first instance there was by the administration no intimate familiarity with the facts, for a presentation which would make clear to the country and to the Senate every controverted question. It is unfortunate, therefore, that in the presidential message which has been submitted, the advisers of the President have been derelict in furnishing to him the requisite data upon which to predicate an argument in behalf of the treaty, and it is a matter of very keen regret that they have let him into so many pitfalls and errors.

It is first suggested in the message that opposition to the London treaty really comes from those who are opposed to all limitation and reduction in naval arms. This is singularly without foundation concerning those in the United States Senate who oppose this treaty; and in the testimony that was taken before the Foreign Relations Committee, the officers of the United States Navy in practically every instance, avowed themselves as desirous of naval limitation and reduction. They

wished, just as the Senators who oppose the treaty wish—real limitation and fair reduction. They oppose a fictitious reduction and a sham limitation. If there be misrepresentation or misunderstanding regarding the treaty, it is due solely to the ill-advised members of the administration who have obstinately refused the United States Senate, a part of the treaty-making power, and the people of the United States themselves, knowledge of what happened in the negotiations, and what were the exchanges in documents between the contracting parties.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Jones in the chair). Does the Senator from California yield to the Senator from Tennessee?

Mr. JOHNSON. I yield.

Mr. McKELLAR. The Senator is making a very splendid and instructive speech and I think we ought to have a quorum.

The PRESIDING OFFICER. Does the Senator from California yield for that purpose?

Mr. JOHNSON. I yield.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Hatfield	Moses	Simmons
Black	Hebert	Norris	Smoot
Borah	Howell	Nye	Sullivan
Caraway	Johnson	Oddie	Swanson
Couzens	Jones	Patterson	Thomas, Idaho
Denen	Kendrick	Phipps	Thomas, Okla.
Fess	Keyes	Reed	Townsend
George	La Follette	Robinson, Ark.	Trammell
Gillett	McCulloch	Robinson, Ind.	Vandenberg
Goldsbrough	McKellar	Robison, Ky.	Walcott
Hale	McMaster	Schall	Walsh, Mont.
Harris	McNary	Sheppard	Watson
Hastings	Metcalf	Shortridge	

The PRESIDING OFFICER. Fifty-one Senators have answered to their names. A quorum is present.

Mr. JOHNSON. Mr. President, we find presented to us the threadbare argument about the same type of minds in Great Britain and Japan in parallel opposition to this treaty. The character of opposition in the three countries is totally dissimilar. In Great Britain the treaty has the support of the British Admiralty. Without the support of the British Admiralty there would have been no treaty signed by Great Britain. The recommendations of the British Admiralty concerning naval affairs are practically conclusive. The First Lord of the Admiralty, Mr. Alexander, speaking in the House of Commons on the 2d day of June, 1930, made very plain that the Admiralty spoke for the Navy to the Government; that the Admiralty was the controlling factor in naval affairs, and that it favored the London treaty.

On the other hand, in America we have a board of naval experts selected from those of highest attainments and widest experience in naval matters, who advise our Government in respect to naval affairs. This organization is termed the "General Board," and while its position is not one of like authority with the British Admiralty, its responsible advisory function is closely analogous. The British Admiralty favors the treaty. The General Board, as the testimony before the Foreign Relations Committee demonstrates, unanimously opposes the treaty. It is truer that certain individuals outside of the Government in Great Britain, like Jellicoe, Beatty, and Churchill, express themselves in opposition to the treaty; but it is equally true that those in authority in naval affairs in Great Britain advocate the treaty, while those in authority in naval affairs in the United States have quite the opposite view.

It is scarcely fair, therefore, to say that opposition in Great Britain parallels the opposition in the United States to this treaty; indeed, the fact is quite the reverse. The opposition to the treaty in Great Britain is outside the government, while those inside the government, who constitute the arbiters in naval affairs for Britain, enthusiastically favor it; while here those who are a part of the Government and responsible to it for their advice and recommendations, chosen like the British Admiralty because they best know the subject with which they deal, are strongly opposed to the terms of the treaty. They feel and they say with absolute unanimity, and as part of their official responsibility, these terms are unfair to the United States.

In Japan a different sort of situation prevails. There for many years in the past two rival branches of the Government have been contending for supremacy in relation to the national defense. These two rival parties are in constant warfare over their precedence and the authority of each. One of these parties quarreling with the other now objects to the mode in which the treaty was made, but neither party in reality objects to the terms of the treaty. And Japan is ready to ratify the treaty

now, with practically all parties favoring its specific terms. This is demonstrated by the dispatches published in our press on the 8th day of July, and it is conclusively shown by the various publications in Japan, some of them semi-official.

We may dismiss, therefore, the argument which first I read in the London Times and which subsequently came with great gusto from the Secretary of State and then was unctuously repeated by the Senator from Pennsylvania, and then seized with avidity by every newspaper favoring the treaty—that "big-navy" men in all three countries oppose the treaty, and that they alone constitute its opposition. "Big-navy" men constituting the Admiralty of Great Britain favor the treaty. "Big-navy" men constituting the navy general staff in Japan favor the treaty. The officials our Government itself has selected, the men who know more about naval affairs and who are more concerned with our naval defense than any others on earth, the General Board of the United States of America, opposes the treaty terms.

Of course, the aspiration of all peoples is for the abolition of competition in the building of arms, but this treaty denies that aspiration. It destroys the ratio fixed at Washington. It leaves all naval matters for readjustment anew in 1935, and thus reopens competition. We are proceeding along the lines of competition in diplomacy, with competition in armament a pawn in the game.

If the principles of the Washington conference had been adhered to, and the ratio of relative strength therein fixed had not been broken, there might be some basis for the claim that the London treaty in part abolishes naval competition. But this treaty nullifies the principle of limitation and actually stimulates competition (1) by destroying the Washington ratios, (2) by the "escalator" clause, and (3) by Article XXIII, which provides that "none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to"—1935. Indeed, we find in the Miscellaneous Memorandum No. 8, presented by the British Secretary of State for Foreign Affairs to Parliament on April 15, 1930, and printed in the CONGRESSIONAL RECORD of yesterday as a part of my remarks, the statement that "Japan will be free to advance a claim at the conference of 1935 for an increase in its 8-inch tonnage" in the event of the United States exercising an option under this treaty to lay down as many as 18 cruisers of the 8-inch type. Herin competition is actually provided for by an understanding officially vouched for by the British Government, though not appearing in the data officially presented to the Senate in connection with its consideration of the treaty.

I repeat—not perhaps that it will be of any particular value; perhaps it will fall wholly upon deaf ears—the official British pronouncement is:

Japan will be free to advance a claim at the conference of 1935 for an increase in its 8-inch tonnage in the event of the United States exercising an option under this treaty to lay down as many as 18 cruisers of the 8-inch type.

Mr. President, the direful prophecies of what may happen if we do not at once ratify the treaty are the mere reverberations of the sounding brass of politics. With the glorified Kellogg Pact in full operation, and with the expressions of amity and good will with which we are so familiar, it can scarcely be that the alternative to this treaty is competitive building, with suspicion, hatred, ill will, and ultimate disaster. Remember 1922. Do not forget that immediately after the Washington conference which ended early in that year all of us, with the glow that had come from what we fondly believed was a world-wide naval limitation, went proudly on our way boasting of our achievement. Remember the words of Mr. Hughes and the entire American delegation after that conference:

It is obvious that this agreement means ultimately an enormous saving of money and the lifting of a heavy and unnecessary burden. The treaty absolutely stops the race in competition in naval armament. At the same time it leaves the relative security of the great naval powers unimpaired.

If Senators listened to-day to what has transpired in this Chamber they see how hollow were those words, and, with the lapse of time, how unjustified were the conclusions, although the conclusions, of course, were deemed exactly as suggested by our delegates after the 1922 conference.

All of us believed this in 1922. Disillusionment came with the passage of time, and with disillusionment came suspicion and ill-will—not hate, as is suggested in the message of the President—but a firm determination upon the part of the American people never again to permit from their holy aspirations such a result. It is admitted, of course, now, that the Washington

treaty did not stop the race in competition in naval armament. With a knowledge of what the Washington treaty did, with the distrust and suspicion engendered by its results, we should have learned our lesson, and we should at least move with circumspection and caution with any doubtful document, the praises of which are sung in exactly the same language used in 1922.

Those alarmists who tell us the awful consequences of not ratifying this treaty forget the 1927 conference at Geneva, a conference which failed. No hatred, ill will, or suspicion, no threat of war followed the failure of the 1927 Geneva conference. The nations most concerned went their way with the same friendliness that existed before; and if this particular treaty should fail, no disaster would follow and the nations would go on in their relations to one another, not necessarily in competitive building, and certainly not in hostility or hatred. It is hardly accurate to say that the 1927 Geneva conference failed because the United States could not agree to the large-size fleets demanded by other governments. The principal reason why the Geneva conference failed was because those who represented the United States Government did not wish to accept cruisers of the kind Great Britain demanded we should accept.

Lord Cecil, one of the British delegates, said in Parliament and indeed wrote in the London Times that the final instructions to him and his fellow delegates from the British Cabinet during the Geneva conference were to offer no compromise on the 8-inch-gun question. Lord Cecil advised Great Britain that adjustment upon this subject might be made, and warned his superiors in London that if there were no compromise (and he and his fellow delegates felt there should be), the conference would fail; but, notwithstanding this warning, the British Government commanded its representatives to offer no compromise at all upon 8-inch-gun cruisers.

The personal friend of the President, a very astute and able diplomat, the Hon. Hugh Gibson, summed up the cruiser controversy at Geneva in 1927 in these words:

The immediate and obvious result of acquiescing in these British proposals would have been that the British Empire would have been able to build exactly what it desired, and that we, on the other hand, would be restrained from building what we considered we might need. . . .

Americans should ponder these words, because exactly what Mr. Gibson stated would be the disastrous result of acquiescing in the British proposals at Geneva is the result to America of the London treaty.

It is quite true that the Senate recommended a conference between the great nations for naval limitation. And it is equally the fact that the Senate presented in the cruiser bill passed in 1929 its recommendations for the succeeding conference. The cruiser bill, recognizing that a general conference for naval limitation would be held, provided:

SEC. 5. First, that the Congress favors a treaty or treaties with all the principal maritime nations regulating the conduct of belligerents and neutrals in war at sea, including the inviolability of private property thereon. Second, that such treaties be negotiated, if practically possible, prior to the meeting of the conference on the limitation of armaments in 1931.

What Congress demanded of the conference was not done. What is commonly termed "freedom of the seas" apparently had no place in the agenda at London, and, so far as we know, was no part of the proceedings there. No single word is vouchsafed us, why? Was the question confidentially discussed? Were there reasons for never mentioning it publicly? Is it incompatible with the public interest to advise us what happened?

This was dictated this morning, Mr. President. This afternoon a great white light burst upon the Senate suddenly; it was like a meteor showering us all with its beneficent brilliance. We were told by the Senator from Pennsylvania that the reason freedom of the seas was never mentioned during the London conference was because the American delegation refused to consider it. So in dictating what I did this morning, apparently I anticipated what transpired this afternoon.

We are left in entire darkness upon the subject, and yet it is gravely stated Congress recommended conferences on naval limitation; but in the presidential message there is an entire absence of what Congress recommended, and a silence as abysmal as the grave as to why the recommendations of Congress were neither followed nor even suggested.

Possibly the difference in view as to the real purpose of the Navy may account for some of the other divergencies in relation to this treaty. Defense of the Nation, of course, is a most im-

portant consideration of naval requirements; but, fundamentally, ever since the United States acquired a Navy, the basic principle of its maintenance has been economic in character. It is not a question merely of a Navy sufficient to protect the immediate coast line of this country, but the question with us has been exactly what it is with Great Britain—a matter of adequate protection of our sea-borne commerce, and the maintenance of that commerce unhindered. From the time of Washington until the present, our country has recognized that the chief function of the Navy was commerce protection. And into commerce protection many elements enter. If a Navy, as seems to be indicated by the sponsors of this treaty, were to be based alone upon fleet combat, one standard might be considered; but if a navy is to perform its primary function of maintaining upon the sea the commerce of our Nation, quite a different standard presents itself. In the consideration of the ability of a navy to protect commerce, naval bases and merchant marine capable of transformation into fighting ships must be taken into account. We are lacking in a due proportion of both. If, therefore, our Navy is to afford our rapidly expanding commerce what must be accorded it, if we are to live as a nation—for commerce is the life blood of a nation—we must have the kind of ships which will enable us properly and effectively to perform this duty. This is the whole crux of the controversy regarding cruisers, and it is this very fact that makes it essential that the United States have the number and the kind of cruisers peculiarly fitted to its situation and necessities.

To boast in one instance that we have naval reduction and limitation, and in the next that we greatly improve our Navy by building up to what other nations have done, is rather paradoxical. This is not limitation. It is expansion.

I confess an inability to understand the various proportionate figures contained in the President's message. As I read these figures, it is stated that on the 1st of January last the total naval tonnage of ships built and building represented a proportion for the United States of 100, for the British Navy 113, and for the Japanese Navy 65; but that under the London treaty this ratio will be 100 for the United States, 102.4 for Great Britain, and 63.6 for Japan. These ratios, it is assumed, are used in the presidential message to demonstrate the benefits derived by the United States under the London treaty. Apparently, however, the mode of computation of the ratios as of January 1, 1930, includes vessels which were not only completed at that time but also vessels actually building then, while the ratios stated under the treaty fail to include tonnage, which under the treaty itself will actually be building at the termination of the treaty.

A true comparison can not be made unless we take the same basis for the two computations. If the same basis had been taken for computing the ratios under the treaty as that taken for determining our Navy January 1, 1930—and, of course, this is the only fair manner for comparison—the British ratio under the London treaty would have been increased from 102.4 to 108 and the Japanese ratio from 63.6 to 65.1. This is a vastly different result from that which has been suggested. Moreover, the ratio of ships built and building will be a great handicap to the United States in the conference of 1935. It is upon this combined basis that the status quo has been calculated at all of the limitation of armament conferences.

The second elaboration of the relative gain in the position of the United States under the treaty would also seem to omit some very essential elements. The same fallacy apparently exists of comparing tonnage totals of ships built and actually building on January 1, on the one hand, and, on the other hand with figures under the treaty which omit ships actually under construction, in order to prove that the United States increases her tonnage allowance by 102,000 tons, while Great Britain decreases hers by 140,000 tons and Japan decreases hers by 12,000 tons. Our little-navy people may sing their praises over this naval reduction of the United States according to the presidential figures! But if the tonnage normally to be under construction by treaty in 1936 were included, the Japanese apparent reduction would be transformed into an increase of 6,000 tons, and the British decrease would be 54,000 tons, instead of 140,000 tons.

But also specifically omitted in this statement are the categories of destroyers and submarines. Omission of these is, of course, an omission against the United States. We have reduced these tonnages under the treaty by 157,000 tons as compared with January 1 of this year, and if these categories were included, our alleged increase of 102,000 tons would become actually a decrease of about 55,000 tons.

Throughout this whole matter there seems to have been a strange lack of recognition of the immense sacrifice of destroyer and submarine strength which the United States is to make

under this treaty as compared with other powers, and for which we are to be returned nothing. We are told that in order to gain concessions in cruiser construction we had to raise their ratios in all these categories of cruisers, destroyers, and submarines. Otherwise we could not have had an agreement. By raising these ratios our relative position is, of course, automatically lowered and the other powers are much more than compensated for their small concessions—in cruiser tonnages—and we are left with absolutely nothing to show for the great relative reduction which we made in our destroyer and submarine forces.

I feel that if yet there remain any statesmen with us they regard with anxious eye our commerce and they think in terms of economics. They are faced with the responsibility of safeguarding the Nation's \$14,000,000,000 annual trade carried on the world's oceans, and they see much more in the cruiser controversy than the small question of whether we should have 6-inch or 8-inch guns on merely three or four cruisers.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. McKELLAR. The Senator from Pennsylvania [Mr. REED] a while ago seemed to think the division of cruisers into subcategories was a matter of very little consequence. To me it is a very startling thing that there are no subcategories in battleships, no subcategories in destroyers, no subcategories in submarines, no subcategories in aircraft carriers, but that in the case of cruisers alone, in which Great Britain and Japan both have a tremendous advantage over America, they should divide them into subcategories.

The Senator will recall that in 1927 the split at Geneva was really over this division into subcategories. President Coolidge would not yield to the British demand to divide cruisers into subcategories, and the conference failed. President Hoover yielded to the British demand that they have subcategories and the conference brought back a report; and yet the Senator from Pennsylvania, one of the delegates, says that dividing into subcategory (a) and subcategory (b) of 10,000 tons, one of 6-inch guns and less and the other more than 6-inch guns, is just the difference between tweedledum and tweedledee. Certainly it seems to me that that is not the case. There was some real point in dividing these cruisers into subcategories.

Mr. JOHNSON. Oh, yes, Mr. President; there was more than a real point in it. That, as the Senator says, is the point upon which the Geneva conference split; and when we take into consideration the fact that the British Government wired its last instructions to its representatives at Geneva, "Do not compromise on the 8-inch cruisers," and when we remember that Lord Cecil, not only in Parliament but over his signature in the London Times, said that that was the reason for the failure of the Geneva conference, we will understand something of the store that Britain sets by these 8-inch cruisers.

Then when we remember that some of the witnesses testified concerning the London treaty that if we insisted upon our right to 8-inch cruisers it would break up the conference, and we had to take that or nothing, as one of the witnesses said—and when he said that, he meant what Premier MacDonald had suggested we should have—when we recall all these things, we see how perfectly futile, not only futile but how unjustified and unwarranted, is the idea that has been constantly propagandized here that the cruiser controversy is of no consequence. Then when we remember that under the terms of the treaty until the next conference we are going to have only what Japan wanted us to have, 15 cruisers, we will see that the difference is between the 23 that once we asked and that our General Board demanded and the 15 that Japan permitted us to get under the London treaty.

Mr. ODDIE. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. ODDIE. I think it should be recalled that Great Britain had an experience once with 6-inch-gun cruisers against 8-inch-gun cruisers in the battle of Coronel, off the west coast of Chile, at the beginning of the war. The British 6-inch-gun cruisers, as I remember, were blown up in about 30 minutes by the German 8-inch-gun cruisers. I think that is argument enough for Great Britain and Japan to insist on our building as many 6-inch-gun cruisers and as small a number of 8-inch-gun cruisers as they can compel us to.

Mr. McKELLAR. Mr. President, if the Senator will yield again—

Mr. JOHNSON. I yield.

Mr. McKELLAR. I recall that during the naval conference of 1922 the British ministry instructed Lord Balfour, who was one of the commissioners in that conference, giving him carte blanche to make any compromise that he desired about battleships, but, when it came to 10,000-ton cruisers, not to yield any-

thing at all; so it seems that their plans have gone back a number of years.

The British are great diplomats. They think ahead. They think out these problems a long time ahead. I take off my hat to them. I am not criticizing them in any way, because what they are doing is no doubt for the benefit, as they believe, of their own country; but unquestionably this question of cruisers, and the published determination of America to build as many as twenty-eight 10,000-ton 8-inch cruisers, is the cause of this cruiser controversy.

Mr. JOHNSON. Mr. President, from the beginning of the hearings before the Foreign Relations Committee and the Naval Affairs Committee treaty proponents have persistently attempted to narrow the cruiser question down to these ridiculously small proportions, and this constitutes one of the greatest misrepresentations in connection with the London pact.

Our delegation at the Geneva conference in 1927 realized there was something far more than this in the then entirely novel British proposal to subdivide the cruiser category into two subcategories, combined with a severe restriction upon the large type of cruiser carrying 8-inch guns. They insisted that the acceptance of such a principle would constitute a great injustice to the United States, and they argued that the effect of such an arrangement would certainly be to hamper the United States in the protection of its ocean commerce far more than it could possibly handicap other nations enjoying greatly superior advantages over us in the matter of naval bases, battle cruisers, and merchant ships of the type suitable for use as vessels of war.

We have in this treaty an acceptance by the American delegation at London of the principle which will affect America's commerce-protection ability as long as these limitation conferences continue, since the precedent established at this one is likely to prevail through the succeeding conferences. Obviously the cruiser controversy is far beyond the small question of our being permitted 6-inch guns instead of 8-inch guns on three or four cruisers. Stripped of technical details, the major element in the cruiser controversy emerges as the surrender to Great Britain of the principle of subdividing cruisers into two classes, with a sharp cut in that class most useful to us in the protection of our commerce. This can be characterized as nothing less than a surrender because of the British decision in 1927 "to accept no compromise on the 8-inch-gun question." Our London delegation of 1930 surrendered the principle, and thus made a mockery of parity in terms of commerce protection.

The question can not be narrowed down to three cruisers even though we may deal specifically with the numbers of 8-inch-gun cruisers at issue in this treaty. It is a matter of 11 cruisers of this category. Under the cruiser bill passed by the Congress in 1929, 15 cruisers were specifically required to be laid down before July 1, 1931, which would have accomplished their completion by the year 1934. These cruisers, together with the eight previously provided by the Congress, made a total of twenty-three 8-inch-gun cruisers which the United States would have by 1934. Instead of these 23, the treaty cuts us to a maximum of 16 by 1936. Thus a reduction of seven American cruisers was made.

In comparison with this we have to consider what the treaty provides respecting British cruisers of this type. It is constantly alleged by treaty proponents that the British will have only 15 such cruisers, but under the detailed terms of the treaty when carefully unravelled, it appears that they may have 4 more than this during the entire life of the treaty. Thus, there is at issue 4 British cruisers and 7 American, or a total of 11. It has been urged that these discrepancies will disappear after the expiration of the treaty, but this specious explanation fails to take into account that at the date of the expiration of the treaty, the British may have 86,000 tons of cruisers under construction over and above the figures given as constituting the maximum British cruiser strength under the treaty. While it has been agreed through an exchange of diplomatic notes that this 86,000 tons of British cruisers can be laid down only as vessels within the 6-inch-gun category, it is also a fact that 6-inch-gun cruisers are of very much greater value to Great Britain than to us, by reason of her superior advantages respecting naval bases and her superior ability to support these smaller cruisers with her very powerful battle cruisers, for trade protection and trade raiding purposes. In any case, this 86,000 tons of British cruisers under construction at the end of 1936 will be of immense value to her in the diplomatic contest which we are to have in 1935 when revision of the provisions of the present treaty are to be undertaken at another conference.

The presidential message emphasizes that the cruiser controversy is affected by the reductions which have been made under the treaty in battleship tonnage and calls attention to the fact

that the British scrap 63,900 more tons of battleships than the United States. This comparison would be more illuminating if it also included a mention of the fact that the United States has reduced her existing destroyer strength more than corresponding British reductions by an amount of 99,000 tons. Similarly, we exceed their reduction of submarines by some 20,000 tons. And it would be more convincing if we did not know the President, through his representatives, demanded the right to construct a new battleship to enable us to reach nearer parity with Great Britain. How strange it is that this demand for a new great battleship, proponents of the treaty, prating of reduction and parity, never mention now.

The presidential message arrives at a figure of 300,000 tons as representing the reduction in the total aggregate navies of the three powers under this treaty when brought into comparison with the navies existing on January 1 of this year. I have been unable to arrive at this conclusion except on the misleading theory of including in the computation for the 1930 navies those ships which are not only built but also building, and subtracting from this total only those ships which will be completely built at the end of the treaty. According to my calculations, if a comparison is fairly made by including in the treaty figures not only ships built but also ships building, so as to parallel the figures for the existing basis, I reach the aggregate of 130,000 tons instead of 300,000 tons as the net world saving. It seems to be worth noting in passing that the actual aggregate world saving of 130,000 tons, as thus computed, would become in reality an increase but for the reduction of 140,000 tons in the quota of American destroyers.

Our attention is called to the possibility of other nations devoting the alleged savings under this treaty to the pacific purposes of reproductive commerce, which may indirectly result in advantages to ourselves, presumably through further stimulating our own commerce with them. Should we cripple America's commerce protection ability for any such elusive ends? Without an adequate commerce protecting power we can not be certain of maintaining even the commerce which we already have. To scrap commerce protecting power in the hope of gaining a little more commerce has little appeal to a sane idealism and none to any ordinary intellectual conceptions.

I do not deal again with figures of saving for those that have been mentioned by the proponents of the treaty are based upon an erroneous premise. All nations were at once agreed during the preliminary negotiations upon cessation of battleship building. All would have accepted in any fashion, with or without formal conference, agreement in this respect. The communications passing between the parties, the statements of those in responsible positions, amply demonstrate this. To begin a computation of economies, therefore, with the total sum which might have been expended for battleships, is misleading and unjustified. But even upon this erroneous premise the figures given by the witnesses as to the cost of our building under the treaty show no saving to our people.

The official memorandum of the British position, printed in London February 4, 1930, and read into the Record by me July 10, states the policy of the British Government in the London conference, and its first tenet is this:

1. The policy of His Majesty's Government in the United Kingdom is to keep the highway of the seas open for trade and communication, and, in relation to the political state of the world, to take what steps are necessary to secure this.

Can anyone doubt that this is just what the British Government did at the London conference, and that this is just what the treaty accomplishes for Great Britain? And in doing this, Great Britain's activities were wholly commendable and, I might add, compel our admiration.

But what thus constitutes a national virtue for Great Britain ought not to be a national vice for America. Ours is the expanding trade of the world now. Our sea-borne commerce challenges that of the empire which so long has been supreme. Naval limitation, yes. We all favor it. Naval reduction, yes. We all earnestly hope and strive for it. But we recognize, as Great Britain does in the second tenet of the official memorandum quoted, "a time of transition"; and, during that time, while gladly acquiescing in any fair reduction or just limitation, the highways of the seas must be open for trade not of one nation but of our Nation too, and we must have in fair comparison with others the ability to maintain and protect our trade routes and our ocean commerce. If it is selfish-minded to recognize every nation's right to protect its own, while demanding the equal right of protection for Americans, I gladly plead guilty, and may my few remaining years ever find me committing the same offense.

PRESIDENT HOOVER AND THE WORK OF THE SEVENTY-FIRST CONGRESS

As in legislative session,
Mr. FESS. Mr. President, a very illuminating address was made by the senior Senator from Indiana [Mr. WATSON] over the radio last evening, and I ask unanimous consent that it may be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, and it is as follows:

Thomas Jefferson said that submission to the will of the majority is the vital principle of republics. This is a true rule and always should be observed in our governmental affairs; but it has not been during the present administration. In November, 1928, the American people, by an unprecedented majority, elected Herbert Hoover President of the United States. They thus expressed their confidence in his leadership and put their stamp of approval upon the principles enunciated in the Kansas City platform and the program of national development proposed by Herbert Hoover in his campaign speeches.

The people of the United States had reason to expect that in his endeavors to fulfill the pledges upon which he was elected, President Hoover would have the full cooperation of his party's representatives in Congress and the aid of the political opposition in matters not the subject of partisan dispute. It is only through such respect for majority opinion that we can execute the public will in government. But in all that the national administration has attempted in the execution of its pledged policies during the past 16 months, save in the ratification of the treaty now under consideration by the Senate, it has confronted the most persistent, factional, and partisan opposition within the memory of the American people. Much of this opposition, I believe it may fairly be said, has seemed to be inspired more by a desire to discredit the administration than by a purpose of assisting it in serving the public good and executing the public will as affirmed so decisively 20 months ago. In view of this fact, we who have battled beside the President may with special gratification point to a record of solid achievement, destined permanently to advance the national well-being, one that may favorably be compared with the progress made in any period of similar length in the entire history of our country. Oncoming results will justify this record and silence all those carping critics and false prophets the volume of whose clamor is in inverse ratio to the wisdom and the fairness of their utterances.

FARM RELIEF

The national issue of foremost importance in the last campaign was farm relief. That the state of depression into which the American farming industry has fallen could not longer continue without grave injustice to our agricultural population and serious injury to all our national interests was admitted by all. As a result of this feeling, and in accordance with our campaign pledges, for the first time in our whole history a national policy of farm relief has been inaugurated.

Under the leadership of President Hoover it represents the best thought of students of this problem, including especially the representatives of the national organization of the farmers themselves. Never has an effort to solve an economic problem been backed by appropriations so vast or machinery so extensive. Handicapped as this effort has been by the reaction in our own country to a world-wide agricultural depression, its service to the American farmer has already been substantial in staying the full effects of this disaster, and it holds forth the hope that with the return of better general economic conditions, which are among the certainties of the future, a permanent solution of this problem of placing agriculture on a basis of equality with other great industries is near at hand.

Whatever the cost, we of America do not propose to permit the farmers of this country to sink to the status of foreign peasantry. The farms of America are the great reservoir of manhood and womanhood, from which is drawn the virile leadership essential to national greatness. This has been true from the days when George Washington left his Virginia plantation to become the leader and symbol of the Nation, and now as always it is true. The farm is the basis not only of our economic but of our social structure.

THE TARIFF

As a second major measure of both farm and industrial relief, the Republican Party and President Hoover pledged in the last campaign such a revision of the tariff as would withdraw from the alien producer that unfair advantage in our domestic market that is derived from the use of cheaper land and cheaper labor. Full industrial employment in the United States is essential to the absorption at profitable prices of the products of the American farm. Our problem of an agricultural surplus is aggravated when the purchasing power of American wage earners declines. Following the recommendation of the President, Congress proceeded to revise the tariff so as to preserve to the American farmer a larger share of his market right at home, and at the same time to maintain that home market at full consuming power by giving to American industries, suffering from unemployment because of foreign

cheap-labor competition, adequate tariff rates against the products of pauper labor in other lands.

Two important changes in world conditions made tariff increases necessary on industrial products. First, wages have arisen more rapidly in America than in Europe. In 1913 wages in the different European countries varied 26 per cent, while in the United States they were 42 per cent higher than the average in European countries. In 1929 wages in the same European countries varied 86 per cent, while in the United States they were 240 per cent higher than in the lowest European countries. Therefore, if we were to execute the policy to which both political parties seemed committed in the last campaign, namely, that American labor was entitled to tariff protection equalizing the difference in wages at home and abroad, the necessity of upward revision in many industries suffering from cheap labor competition was obvious.

Due to these changed conditions, excessive importation of cheap-labor products from abroad began to pour into the country and thus aided in bringing about the condition of unemployment in certain American industries which, in fact, began five years ago. The evidence of this can now be found in hundreds of industrial plants that in that time have either closed down or slowed down in all parts of the country. This condition did not produce general attention or cause nation-wide injury until last year because new and growing industries, such as the motor, radio, and airplane manufacture were able to absorb the slack. The extent of this displacement of American labor is not fully revealed by the official figures on importation because they are based on foreign valuations, and in many instances on undervaluation; and yet the result was none the less effective and none the less disastrous, and these immense importations, produced by cheap labor in foreign countries, so wrought upon our industrial and financial structure that the crash in the stock market last October shook it from dome to foundation and from center to circumference.

The second change was that American industrialists have since the World War invested \$3,000,000,000 in industries competing with our own in foreign cheap-labor markets, thereby adding American management efficiency to cheap labor as a growing menace to the American standard of wages and living. This fact chiefly accounts for the strength of the opposition to increased industrial rates in the new tariff law. Neither the American farmer nor factory can flourish in unequal competition with that foreign cheapness in production secured through the sacrifice of human values, unless we are willing, which we are not, to level down our standards of life for the masses to those of foreign lands.

Nevertheless, the new tariff law is chiefly in its rates a farm-relief measure. Of the officially estimated increases in customs collections, aggregating \$106,426,769 under the new tariff law, \$72,181,314 falls on agricultural materials and the compensatory rates on industrial products made from the raw materials thus affected in price.

HOOVER'S MAIN OBJECTIVE

President Hoover spoke in the last campaign of the abolition of poverty as the objective of an enlightened civilization. Our highest achievement in America has not been that we have become the richest country in the world but that here wealth is more widely diffused than in any other country; that the masses of Americans enjoy a standard of living beyond the dreams of any other land or time. If we could diffuse these living standards throughout the world without sacrificing our own, it would be a duty gladly performed. But so long as so much of the remainder of the world persists in a system of cheapened production through the cheapening of the worker we must protect our standards against destructive competition with the product of such standards or else sink to the world level. We can not thus advance toward the solution of the problem of poverty, but would, as Andrew Jackson once declared in opposing the disastrous policy his party now proposes, "make paupers of ourselves." The Republican Party believes that the American worker is entitled, not to charity or to a dole but to that full opportunity for employment upon which all progress in measures of social justice must rest.

In this belief, a Republican majority in Congress has passed, and President Hoover has signed, a tariff law which will in due time vindicate itself, as all other protective tariff measures have in the past, by the restoration of normal, prosperous conditions in the United States. Foreign powers, most of them with higher tariffs than our own, which have protested against the new tariff law, will discover that the restoration of prosperity in the United States will help and not hurt the rest of the world, and that it will promote and not diminish foreign trade.

FLEXIBLE PROVISION

The special wish of President Hoover was met in the new flexible tariff provision under which the President and the Tariff Commission are authorized, under a showing of facts, to adjust any inequities in the new tariff law. For the first time in our history we have squarely placed tariff making on a scientific, fact-finding basis. When conditions arise which justify either the lowering or the increasing of given tariff rates, our Government is now in a position to promptly meet the situation without resorting to a general tariff revision which always is disturbing to trade and disquieting to business. Undoubtedly the unprecedented delay in enacting the new tariff law, due to a factional

and partisan opposition, together with a stock market panic which the uncertainty produced by this delay helped to precipitate, were the prime causes of that temporary period of depression we are now sharing with the whole world. The turn now is upward, and the political calamity howlers who pin their hopes to the continuance of national adversity are destined to have their fond expectations blasted. We are still incomparably the richest and most prosperous nation in the world, operating under the same economic policies in accordance with which we achieved that enviable position and with a national genius capable of surmounting every obstacle. Nothing short of an abandonment of the principles and policies which have given this Nation industrial supremacy and financial primacy can halt that progress.

FOREIGN POLICY

The American people believe in the policy of adequate national defense. Ardently as we desire peace, strongly as we deprecate war, we are practical enough to know that in the world as it is, not as we wish it were, national defenselessness is national suicide. We desire no armament for offense. Our territory and resources are sufficient to our needs. We covet nothing belonging to other nations except their friendship and respect. We believe in a mutual reduction of armaments, because by such a policy we reduce not only the financial burden of government but also the danger of war, without decreasing our relative power should war be forced upon us. We involve ourselves in no dangerous international commitment when we agree with other military and naval powers to limit our own naval construction to the extent to which they agree to limit theirs. This is the spirit, as I take it, of the London naval treaty proposed by the President as the result of the conference at London, and which is now under consideration by the Senate. Any conference of this character has some elements of give and take. In all three of the nations principally involved—England, Japan, and the United States—there are able and conscientious naval and other experts who believe that their respective countries are getting the worst of it by the terms of this treaty. It is a fair conclusion from such differences of opinion that no nation is being worsted, but that, on the contrary, in so far as all three nations are securing the guaranty that they are not to be outbuilt beyond the parity basis agreed upon, all get the best of it. Under the London treaty the United States will regain a parity lost under the operations of the Washington treaty. We are to add substantially to our cruiser strength. The settlement of this question will remove a point of international controversy and possible misunderstanding. It will stand as a landmark of progress toward world amity in the record of the Hoover administration.

It is surprising to note that some, though by no means all, of those who cry loudly that this treaty represents a sacrifice of national interests join their voices to those of some forty foreign nations with higher tariffs than our own in the demand that foreign peoples be permitted to effect an economic invasion of our markets which would impair that vigor of our industrial and agricultural structure, which is the most fundamental factor in adequate national defense in either peace or war.

OTHER ACHIEVEMENTS

Another contribution to better international feeling was the settlement of the last of our foreign debts growing out of the World War. They were disposed of justly and generously to our European debtors, but we rejected the policy of repudiation advocated both here and abroad. The money lent to Europe came out of the pockets of the American people. There was no good reason why they should have paid all the debt incurred in saving the Allies from defeat, especially in view of the fact that alone among the allied and associated powers our Nation received no indemnities and acquired no territory. The Hoover administration stood for the sound policy of equitable settlement, and this has been effected.

ECONOMIC DEPRESSION

With our enormous and unprecedented expansion of private credit due to time purchases, it had been generally predicted that in case of any halt in industry, or any serious financial disturbance, our credit structure would come crashing to the ground in an unprecedented panic. No heavier blow was ever struck at a nation's economic and financial structure than the stock market crash of last autumn. I am not on this occasion undertaking to discuss the causes of this panic; they were international as well as national in character, and can not by any stretch of the imagination fairly be attributed to any fault of the Hoover administration.

But for the prompt and statesmanlike course of President Hoover this panic would have produced consequences far more disastrous than have been experienced. He quickly assembled the leaders of industry and with them mapped out a program of activity, public and private, which has served to alleviate the situation to a marked degree. The public buildings program was extended to more than a half billion dollars, affecting all parts of the country. State and local officials were encouraged to expand, rather than contract, public construction. Great industrial corporations agreed to build at a time when slowing down would have been the usual course. Employment has thus been guaranteed to hundreds of thousands of people who otherwise might

have been unemployed, while private and public construction has secured the benefit of lower costs through decreased commodity prices.

The Federal aid of \$125,000,000 in road construction has been a further stimulus to employment, besides adding to the Nation's industrial equipment. Complaint is made of liberal Federal participation in road construction. No better contribution to the Nation's material and cultural progress can be made than through the binding together of all parts of our country with a network of modern highways, which would have been impossible to anything like the extent rapidly achieved in recent years without the encouragement and assistance given through our national highway policy.

COMMISSIONS

President Hoover believes that in the solution of any national problem the first thing to do is to get the facts. Many of the problems confronting us are in violent dispute chiefly because there is disagreement as to existing conditions. It is all too common a failing to make the facts suit theories, rather than make theories adjust themselves to facts. This belief is the inspiration of the appointment by President Hoover of certain fact-finding commissions, notably the law enforcement commission. As a result of the findings of this commission certain legislation already has been enacted. The duty of enforcing the prohibition law has been transferred from the Treasury Department to the Department of Justice, where it naturally belongs. In districts with congested calendars additional Federal judges have been provided. Trial without jury in certain prohibition cases has been authorized. Various agencies for preventing the smuggling of liquor, narcotics, aliens, and merchandise over the border will be consolidated for the sake of increased efficiency under a bill proposed by the administration. The construction of two additional Federal prisons to relieve overcrowding and of additional jails for minor offenders has been provided. The President's Child Welfare Commission is making extensive studies in a field of special interest to the mothers of the land.

TAX REDUCTION

With all the expansion of national activities Federal tax reduction has been effected. Under the tax reduction act of 1929 American taxpayers, chiefly the smaller ones, have been relieved of a burden of \$160,000,000 annually. This is the fifth tax reduction by the party now in power, in the aggregate relieving the taxpayers of the country of a burden of \$1,986,000,000. More and more in our income-tax legislation we have relieved those of small or moderate incomes of taxation. I read the other day the statement of a well-known American author who has developed an acute disgust for American institutions and a corresponding admiration for the institutions of countries in which he does not choose to live, in which he declared that America was "an oligarchy of the rich." It seems strange that in a nation so governed we have more and more relieved the smaller income-tax payer until no one without a comfortable income pays any income tax whatsoever, and have provided for graduated surtaxes which require the rich to pay an increasing percentage of taxes as their incomes increase. It seems strange that in a country dominated by an oligarchy of wealth we regulate through public bodies the earning returns of great transportation companies and public utilities while permitting the individual and smaller enterprises to secure whatever rate of return upon their investments is possible to them.

MERCHANT MARINE

Under the policies of the present national administration we are realizing a dream of many of us which long seemed impossible of realization, in the creation of a merchant marine corresponding in size to our coast line and commerce. America has a domestic coast line equal in length to that of Europe from Archangel to the Black Sea, and yet for years we saw our merchant marine diminish until the sight of the American flag in a foreign port was a strange and unfamiliar one. During the World War the lack of a merchant marine cost the people of America, especially our farmers, many times more than the sums proposed in previous years as subventions to create ocean-going commercial fleets. Foreign mail contracts under the present administration have been increased by five and a half million dollars, making possible the construction of 40 great vessels which will ply the oceans under the American flag, contributors to national prosperity in time of peace, to national defense in case of war.

Within the past few days the enactment of a rivers and harbors bill carrying extended appropriations marks the beginning of the realization of the Hoover policy of developing internal waterways, supplementing our existing transportation development in railways, electric lines and highways. These appropriations look forward to a great inland waterways system which will ultimately make ocean ports of our Great Lakes cities and furnish cheap transportation to our interior States. This is the beginning of a permanent policy requiring years for its complete execution but which will have the most profound effect upon the development of our interior States. Together with the tariff, this great project carries on the "American system" of Henry Clay and Abraham Lincoln, both of whom stressed public projects of internal development as a proper accompaniment to the doctrine of protection.

OTHER MEASURES

I can but briefly mention other measures of public importance which are the result of executive and legislative cooperation since the inauguration of President Hoover. We have placed the Radio Commission upon a permanent basis, and have made progress in laying down the lines of development for this mighty instrumentality for the instruction and the entertainment of the American millions. We have remedied the long delay in reapportionment by more equitably distributing representation in Congress and the Electoral College upon the basis of existing population. We have completed a census revealing the steady growth of our population despite the decrease in immigration under restrictive laws. We have placed in the Department of Agriculture the power to license dealers in perishable farm products so as to eliminate fraud. We have made further provision for our disabled soldiers in line with a policy unparalleled for generosity elsewhere on earth and which holds it to be the duty of the Nation to save its defenders from hardship or want, to protect those who in time of need protected us, and in so doing have passed practically every measure demanded by the American Legion. We have reorganized the Federal Power Commission with three members who can give all their time to questions of hydroelectric development instead of permitting this to be the incidental work of already overburdened Cabinet officers. We have made appropriations for the beginning of the work on Boulder Dam, which will confer large benefits on an important group of States. We have established a Bureau of Narcotics in the Treasury Department to better control the illicit traffic in habit-forming drugs.

President Hoover has named a commission to investigate the administration and conservation of the public domain, looking forward to vesting more power over public lands in the several States. The Interior Department has taken steps toward the conservation of oil. All agencies dealing with the affairs of veterans have been consolidated. Our prison parole and probation systems have been reorganized.

I have mentioned only matters of major importance. But for lack of time many other constructive measures of legislation and administration might be added to the catalogue of things performed for the public good during the 16 months which have succeeded the inauguration of President Hoover.

Suffice it is to say that measures that might well distinguish years of legislative enactment have been crowded into a few months, and yet up to the present time they have not been properly appraised by our citizens generally, largely because of the adverse economic condition which so depresses a large part of our people. As time goes on, however, and these achievements of the administration and of Congress have been given an opportunity to manifest themselves in our American business and social life, the people will rightly estimate this successful record and give to this administration a high place for successfully conducting the great affairs of our Nation in a time of perplexity and doubt.

In conclusion let me say that we live in an age of criticism, when all too little thought is given to the service of government, all too much to the faults of government. When we look within ourselves and realize that perfection does not seem to be the law of nature, we should not expect perfection in the body politic. If just a little of the thought and effort devoted to criticism of public men and public measures, much of it based on misinformation, were spent on cultivating some appreciation of the good in our Government, in our institutions, and in our public servants, we might acquire a more just and rational view of the work going on at Washington. It is easy enough to pick flaws, to find fault, to sneer, and to defame. It takes some knowledge and some thought to fairly appraise the work constantly being done in Washington in the interests of the American people. It is true that such work has no news value; it is not sensational. The orderly, industrious, useful citizen who goes about doing his duty and helping make a better world seldom gets into the headlines; let him make a slip, and he immediately attracts attention. So it is in Washington. It is only when something happens which easily lends itself to criticism that the public is likely to know much about it. But it should be remembered that news is the unusual, and the usual in Washington is the faithful performance by public men of the duties committed to them.

President Hoover is perhaps the hardest worked man in the country. Coming to the greatest post in Christendom with a world-wide reputation for wisdom, efficiency, humanitarianism, and a genuine desire to serve his fellow man, his administration is disappointing only to those who have prepared to be and who want to be disappointed. He is near midstream in his administration. He has faced grave problems he did not create. He has met innumerable difficulties for which he is in no wise responsible. To solve them he has carried through a great program of legislation and administration. The effect of these policies upon public welfare have not yet had time to manifest themselves, but they are as certain to do so in the immediate future as day is to follow night. Up to the present time he has been in the midst of the work of putting them into effect and now all that is required is for the

people to be patient until they have had an opportunity to demonstrate their effectiveness. To this end he deserves the confidence and the support of the American people, and undoubtedly will have it.

He has been laboring under the handicap of constant opposition in a Congress which in one branch has been out of sympathy with him politically. With a coalition to deal with, numbering in its ranks a majority of at least eight in the Senate on any joint vote, he yet has been able to put through that body 15 of his major policies and suffered a defeat in but two, and one of them was but short lived. The American people should back President Hoover to the limit. They should give him a congressional majority in both branches that always will try to help and not hinder in the development of his plans for the welfare of the American people and the fulfillment of the high destiny of our Republic.

RECESS UNTIL MONDAY

Mr. BORAH. Mr. President, it had been hoped that we might have a session to-morrow; but I am convinced that it would be impossible to have a meeting, owing to the fact that some of the Senators who have been here during the week feel compelled to be away. Therefore I shall not ask the Senate to come into session to-morrow. As in executive session, I move that the Senate take a recess until 11 o'clock a. m. on Monday.

The motion was agreed to; and the Senate (at 4 o'clock and 55 minutes p. m.) took a recess until Monday, July 14, at 11 o'clock a. m.)

SENATE

MONDAY, July 14, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

ARTHUR R. GOULD, a Senator from the State of Maine; FRANK L. GREENE, a Senator from the State of Vermont; HAMILTON F. KEAN, a Senator from the State of New Jersey; and W. B. PINE, a Senator from the State of Oklahoma, appeared in their seats to-day.

The VICE PRESIDENT. The Senate resumes the consideration of the treaty.

LONDON NAVAL TREATY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. ROBINSON of Arkansas obtained the floor.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Arkansas yield for that purpose?

Mr. ROBINSON of Arkansas. I yield.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Gould	McMaster	Sheppard
Bingham	Hale	McNary	Shortridge
Black	Harris	Metcalf	Smoot
Borah	Harrison	Moses	Stelwer
Capper	Hastings	Norris	Sullivan
Couzens	Hebert	Oddie	Swanson
Denoon	Johnson	Overman	Thomas, Idaho
Fess	Jones	Patterson	Thomas, Okla.
Fletcher	Kean	Philipp	Townsend
George	Kendrick	Reed	Trammell
Gillett	Keyes	Robinson, Ark.	Vandenberg
Glenn	La Follette	Robinson, Ind.	Wahle, Mont.
Goldsbrough	McKellar	Robison, Ky.	Watson

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORRICK] is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASE] are detained from the Senate by illness in their families.

I also announce that the Senator from Arizona [Mr. ASHURST], the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. CORNALLY], and the Senator from Kentucky [Mr. BARKLEY] are absent on official business, attending sessions of the Interparliamentary Union in London.

Mr. LA FOLLETTE. I desire to announce the unavoidable absence of my colleague the junior Senator from Wisconsin [Mr. BLAINE]. I ask that the announcement may stand for the day.

Mr. SWANSON. My colleague the junior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. FESS. I desire to announce that the junior Senator from North Dakota [Mr. NYE] is detained on business of the Senate, attending sessions of the special committee to investigate campaign expenditures. I will let this announcement stand for the day.

Mr. NORRIS. I desire to announce that my colleague the junior Senator from Nebraska [Mr. HOWELL] is absent on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Fifty-two Senators have answered to their names. A quorum is present. The Senator from Arkansas is entitled to the floor.

Mr. ROBINSON of Arkansas. Mr. President, discussion of the pending treaty has proceeded far enough to disclose the principal arguments relied on both by the supporters and by the opponents of the treaty. The controlling consideration is, of course, the public interest and the question which Senators will answer by their votes on the resolution of ratification is whether acceptance of the treaty by our Government is in the interest and for the welfare of our people.

Many differences of opinion have been expressed in the Senate. The subject has been discussed freely by the press. Those differences of opinion relate chiefly to the cruiser and implied ratio arrangements carried in the treaty. It is my judgment, that in the first instance the differences which have been asserted and discussed have been expressed in terms of exaggeration and of bitterness for which the subject matter of the controversy and a proper spirit of deliberation give no basis and which they do not justify.

It seems helpful at this juncture to state in concise terms some of the circumstances which appear to me, as one who took a humble part in the negotiation of the treaty, to justify the Senate in advising and consenting to the exchange of ratifications, and also to take note of some of the outstanding grounds of opposition occupied by opponents of the treaty.

With respect to the first general topic, namely, the prominent considerations which prompt me to urge ratification, it is pointed out, first, that the treaty seeks to limit all classes of combat vessels for the United States, Great Britain, and Japan. Let me at once make reference to what has been called the contingent clause by some, and by others the "escape" provision. Since all the parties represented in the conference did not agree on their programs, since France and Italy, to be more specific, did not join in those provisions which relate to limitation, it became necessary to enter into some form of arrangement which would enable Great Britain to expand her construction in the event she found it necessary in the preservation of her security to do so.

For my part, I prefer the plan carried in the treaty to any form of political arrangement of which my mind could conceive. In the first place, the proper limitation of armament is necessarily a voluntary act on the part of every sovereignty. No government has either the power or the right, under the accepted standards of international propriety and responsibility, to compel another government to enter into an arrangement which, in the opinion of that government or its representatives, would imperil the safety of its people. One of the primary objects of treaties of this nature is to promote national security, and that end can not be accomplished if governments are prompted to enter into arrangements which threaten the security of their people. The Washington conference recognized that fact, and inserted a clause in the treaty with which every Senator is familiar. It provided for consultation, for conference, and for a supplemental agreement to be entered into by the parties to the treaty in the event any nation was threatened and felt that its security was endangered.

Under the contingent clause carried in this treaty, if any party to it believes that the naval construction program of a government not a party to the treaty imperils its national safety, that government is at liberty to notify its consignatories, and to announce what further tonnages it will require and the categories in which increases are found necessary. Upon that information the other nations parties to the treaty are at liberty correspondingly to increase their tonnages in the categories concerned. This places the responsibility for disarranging the program of limitation agreed upon where it belongs. It relieves the other parties to the arrangement of all responsibility of giving advice or direction to the particular nation, which, of course, might be followed by a measure of moral obligation.

That there is little likelihood of any government which has signed this treaty availing itself of the clause referred to is apparent from the circumstances. No nation is likely to announce to the world that the course pursued by another country with respect to naval construction is, in the opinion of the first, endangering its national security. Whenever such an announcement is made men who are familiar with history will realize that the countries involved are dangerously near military conflict.

For my part, I would not desire, if such a contingency arose in so far as the United States is concerned, that she should be restricted in the exercise of that primary responsibility and in the performance of that duty of first importance, namely, to pursue such course as was found necessary for its defense; and, of course, one must concede to other signatories to the treaty the same privilege to preserve their national security that he claims for the government which he himself represents. The only process by which competition in naval construction may be suspended or terminated is through international agreement voluntarily entered into by the various sovereignties.

Even if it were possible for one people to intimidate or coerce another with respect to the means of national defense, the limitation of armament resulting from such processes could only prove temporary and would be calculated to stimulate both fear and animosity. On the other hand, programs for limitation and reduction worked out in conference are usually promotive of national security and good will. They tend to allay fear and to suppress international rivalry, out of which frequently spring misunderstandings and hatreds. Even if the tonnages as limited in this treaty should be regarded by some as too high and by others as too low, the important fact remains that no occasion will exist during the life of the treaty for suspicion or anxiety on the part of any signatory respecting the naval program of any other. By this treaty the relations of the United States, Great Britain, and Japan are definitely defined and outlined, so that each will be fully informed as to the construction which the other proposes.

Next in importance to the termination of competition in naval construction by limitation of all classes of ships is the reduction in capital ships. By accelerating the scrapping program on the part of Great Britain, the United States, and Japan, the first by scrapping 5, the United States 3, and Japan 1, it is believed that material economies will be provided for. By means of this scrapping process the tonnages in capital ships will be reduced, for the United States, 69,900 tons; for Great Britain, 133,900 tons; and for Japan, 26,330 tons. It is apparent from the figures just quoted that Great Britain scraps approximately twice as much as this country scraps, and her ships to be scrapped are better than those to be scrapped by the United States. The British ships which it is expected will be scrapped carry 13½-inch guns; the American ships 12-inch guns.

When we entered the London conference the tonnages for the respective three great naval powers in capital ships were as follows:

The United States possessed 18 ships, with a total of 532,000 plus tons; Great Britain, 20 ships, with a total of 608,000 plus tons; and Japan 10, with a total of 292,000 plus tons. When this treaty shall have been carried out, without modernization, the United States will have 15, with a tonnage of 453,000 plus; Great Britain will have 15, with a tonnage of 474,000; and Japan 9, with an aggregate tonnage of 266,000.

We are left free now to modernize the eight capital ships that have not been modernized. This will add approximately 3,000 tons per ship. When we have modernized the three ships of the *Idaho* class our tonnage will be, in capital ships, 462,000, or approximately 12,000 less in this category than that of Great Britain, and if we modernize the remaining five ships we will have 477,400 tons to 474,750 tons possessed by Great Britain.

According to every expert whose opinion I can recall, the arrangement carried in the treaty with respect to capital ships, particularly including the modernization program, will make effective actual equality or parity between the fleets of Great Britain and the United States with respect to capital ships as nearly as that end can be accomplished or reflected through tonnages, and will bring about that result in the very early future.

We all recall that the equality of the two navies referred to in capital ships under the Washington treaty was not expected to be accomplished until the lapse of a period of several years—I believe until about 1942. This arrangement, then, means that we get almost immediate parity in the important class known as capital ships.

I realize that there are other considerations that might be discussed in this connection, but in order to reach the sub-

jects which are in mind I am going to pass now to a third reason sustaining the treaty and justifying ratification.

Under the terms of this agreement the Japanese tonnage in submarines will be very greatly reduced, the reduction amounting to almost 33¼ per cent of its present tonnage. During the Washington conference efforts were made to limit all classes of ships; and they failed except with respect to capital ships and aircraft carriers, as everyone here now knows. The American proposal in that conference was 90,000 tons each in submarines for Great Britain and the United States and 54,000 tons for Japan.

Throughout the conference Japan insisted on that tonnage as necessary to her defense. Her representatives took the position that submarines could not be employed effectively in attacks on the coasts or defenses of other countries; that in so far as Japan was concerned they were almost entirely instruments for national defense, and that her absolute requirements were 54,000 tons. She adhered to that position. In the London conference the United States in all probability, if we had desired to do so, could have claimed a much higher tonnage in submarines; but we were advised and believed that it was to the best interest of our Government and our Navy to secure as great a reduction as possible in this class of combat ships; and taking into consideration the fact that Japan was far superior to the United States in submarines under age at the time of the conference, the arrangement giving her parity with both the United States and Great Britain was entered into.

The advantage in the status quo possessed by Japan was not confined to submarines. She not only had approximately 78,000 to our approximately 65,000 tons in that class but she possessed a tonnage very nearly twice that which the United States possessed in the cruiser category. It may surprise some who have thought that the American delegates to the London conference failed in their duty in connection with the cruiser program to learn that when the London conference assembled Japan possessed twice our tonnage in the two cruiser subcategories combined, and Great Britain four times our tonnage, taking into consideration completed vessels, vessels on the Navy list.

When the delegates to the Washington conference submitted their report they expressed sincere regret that the results of the conference had not extended to auxiliary craft; and they entered into the realm of prophecy and said that in all probability there would be no competitive construction in those classes. To quote the language literally:

While it was desired that an agreement should be reached for the limitation of auxiliary craft and submarines, its importance should not be overestimated. Limitation has been effected where it was most needed, both with respect to the avoidance of the heaviest outlays and with reference to the promptings to war, which may be found in excessive preparation. Moreover, it is far from probable that the absence of limitation, in the other field, will lead to production of either auxiliary craft or submarines in excess of their normal relation to capital ships. Peoples are not in a mood for unnecessary naval expenditures.

Let it be remembered that after the first proposal regarding submarines had been submitted by the American delegates at the Washington conference they subsequently modified it so as to reduce the tonnages very materially. The supplemental suggestion was that the United States and Great Britain should have each 60,000 tons and that France, Italy, and Japan should retain the tonnages then possessed. That would have given Japan 31,000 tons plus; but Japan refused that, and, of course, France took a position in opposition to such an arrangement; and all limitation as to auxiliary craft, surface-combat ships, failed, as well as limitation as to submarines.

In order that the Senate may have the matter clearly in mind let reference be made to a series of short tables prepared by an eminent expert in the Navy Department at the suggestion of the Senator from Pennsylvania [Mr. REED]. Let me summarize for the record just what was the status with respect to the navies of the United States and Japan in auxiliary craft when the conference assembled.

Taking completed ships on the Navy list under age, excluding those listed for disposal, but including such vessels as were employed by the Coast Guard on prohibition service, we have this astounding situation with respect to tonnages:

In 8-inch cruisers, which it is now claimed are so absolutely indispensable for the purposes of this Government, both in fleet action and in the defense of commerce, we had two, with a total tonnage of 20,000. Let some one who now is keenly awake to the necessity of having our entire cruiser tonnage in this particular class of ships explain why we had 70,500 tons in 6-inch ships, and only 20,000 tons in 8-inch ships. When that

explanation has been made, if it is ever made, the Senate of the United States, including the chairman of the Naval Affairs Committee, and the people of the country interested in this subject will be able to comprehend the significance of the controversy here now respecting cruisers.

Let me proceed.

Japan had 400 per cent in numbers and 342 per cent in tonnages of the ships of the United States in the 8-inch cruiser category when the London conference assembled. Prior to that time the United States, Japan, and Great Britain had been free legally to construct such tonnages as each nation desired. The United States, instead of building the 10 *Omahas*, could have put her entire tonnage in the cruiser category in 8-inch-gun cruisers if the experts in the Navy of the United States had recommended that course, but that was not done.

In 6-inch cruisers, under the same conditions referred to, when we met in London the United States had 10, with an aggregate tonnage of 70,500; Japan had 21, with a tonnage of 98,415. She thus had 210 per cent in numbers and 140 per cent in tons of our 6-inch-cruiser shipping.

In submarines the United States had only 58,610 tons within the age limit, and many of these were approaching the maximum age limit. Japan had 64, with a total tonnage of 66,068, possessing 84 per cent in numbers and 113 per cent in tonnages. There was only one category in auxiliary craft in which the United States exceeded Japan when this conference met, and that was destroyers.

We had, as I remember, under the same limitations that have been described heretofore, something like 226,000 tons in destroyers. They were all old. They had been hastily constructed during the war; and, according to the experts, tonnage in destroyers was not needed to that amount. So an arrangement was entered into with respect to destroyers by which the United States and Great Britain each will possess 150,000 tons and Japan will have 105,500.

Ships of this class may be quickly constructed. Our destroyers are all old. No naval experts will say that we ought to build this new tonnage at once. The best judgment is that it could be constructed from year to year on a program which will distribute the replacement over a period of years, rather than mass it at one time, as it is now as a result of our construction during the war.

If another comparison is desired to show what has occurred in so far as the United States Navy is concerned when there existed no limitation, when those who are resisting this treaty with all the power they possess had absolute freedom to promote a navy which in their judgment would conform to the interest of the United States Government, let me give another illustration. Take, now, the vessels which have been completed and which have been laid down and are in the course of construction. In the 8-inch category the United States would have 8, with a total tonnage of 80,000; Japan would have 12, with a total tonnage of 108,400, 150 per cent in numbers and 136 per cent in tonnages, a very distinct advantage over the United States; and that condition arose when those who are here now saying that the limitation of armaments under this treaty means minimization of the United States Navy.

In 6-inch-gun cruisers the United States had 10, with a total tonnage of 70,500. She had in ships built and building approximately the same tonnage in the 8-inch-gun class that she had in the 6-inch-gun class. Who was responsible for that? Who can explain that on any other theory than that those in the Navy of the United States responsible for our construction program believed, as Admiral Pratt now believes, and as Admiral Yarnell and others now believe, that a well-balanced fleet required tonnages in both of these subcategories, requires 8-inch-gun ships and 6-inch-gun ships. The Navy, while perfectly free to take its own course in the construction of cruisers, elected to build as many 6-inch-gun cruisers as she built 8-inch-gun cruisers, and now, when there is a proposal of limitation by treaty, following the policy pursued by the Navy, we hear the cry: "You are sacrificing the safety of American homes, sacrificing the safety of American commerce," by doing what the Navy itself voluntarily did when there were no restrictions whatever upon the method or the amount of its construction.

With respect to submarines, under the classification of which I am now speaking, under the limitations referred to, including vessels whose keels have been laid down, and which are now in the course of construction, the United States has 78, with a total tonnage of 64,070, while Japan has 71, with a total tonnage of 77,842. She has 91 per cent in numbers and 121 per cent in tonnages.

Pass now to a third method of study. If we take the entire fleet of vessels built and building, the American ships are said to be much older than the Japanese. At the end of the proposed

treaty period, December 31, 1936, there will remain under age the following ships in the list of those laid down and now in process of construction.

The United States will have in 8-inch-gun cruisers 8, with a tonnage of 80,000. Japan will have 12, with a tonnage of 108,400, or 150 per cent in numbers, and 136 per cent in tonnages.

In the 6-inch-gun subcategory the United States will have 10, the *Omahas*, 70,500 tons. Japan will have 21, or 81,455 tons, 150 per cent in numbers, 116 per cent in tonnages.

In destroyers the United States will have 14, with an aggregate tonnage of 14,663. Japan will have 72, with a tonnage of 93,205, or 514 per cent in numbers, 636 per cent in tonnages.

With respect to submarines the United States will possess 17, aggregating 22,950 tons; Japan will have 38, with a tonnage of 52,252, or 224 per cent in numbers, and 228 per cent in tonnages.

Let us make the comparison as to what will result under this treaty. Assuming ships are scrapped on reaching the age limit and are replaced by new construction to arrive at the agreed tonnage in each category, and further assuming that the new 6-inch-gun cruisers will be of about 8,000 tons displacement, new destroyers of about 600 tons displacement, and new submarines of about 1,015 tons displacement, the relative strength at the expiration of this treaty, on December 31, 1936, in ships built and building, will be as follows: The United States in 8-inch-gun cruisers will have 18, with a tonnage of 180,000; Japan will have 12, with a tonnage of 108,400, or 66½ per cent in numbers, exactly 60 per cent in tonnages.

In 6-inch-gun cruisers the United States will have 19, with a total tonnage of 143,500; Japan will have 16, with a tonnage of 100,450, or 84 per cent in numbers, 70 per cent in tonnages.

In destroyers the United States will have 98, aggregating 150,000 tons; Japan will have 105,500, or 70 per cent in tonnages.

In submarines there would be parity.

That leads me to the next argument, which I believe to be unanswerable, for the ratification of this treaty, namely, that the treaty gives the Navy of the United States a much better relative position with respect to the navies of Great Britain and Japan than it occupied at the time of the conference. The result of the limitations imposed by this treaty will give the Government of the United States, in so far as the Navy is concerned, far more sea power than it possessed during the period when there was no limitation, when this Government was entirely free to build as many ships of any class as she chose to build.

Let me pass now to a brief consideration of some of the arguments which have been urged very forcefully by able Senators and others in opposition to this treaty. In the first place, Senators have read and have heard the declaration that the treaty constitutes an abandonment of the policy of our Government to defend its commerce.

I do not know how such a proposition can be sustained. It has already been shown by figures that the Navy will be better able to defend our commerce if the treaty is ratified than it has been during the time when there has been no limitation. Assuming that the meaning of the rather obscure declaration is that the result of the cruiser agreement will be to subordinate considerations relating to our commerce to combat effectiveness, let us enter upon a discussion of what the treaty proposes in that particular.

Some circumstances have already been presented this morning showing that when the Navy was at liberty to proceed without restriction or limitation it elected or chose to construct approximately an equal tonnage in 8-inch-gun and 6-inch-gun cruisers. Heretofore 6-inch-gun cruisers have been ships of much smaller tonnage than the 8-inch-gun cruisers, and one of the issues which arose during the London conference was whether there should be a limit on the tonnage in the latter class not applicable to the former.

No such limitation was agreed upon, the American delegates insisting, and their position being finally recognized, that there should be no distinction in the treaty in cruising radius between an 8-inch-gun ship and a 6-inch-gun ship, and except as to the 10 *Omahas*, which were constructed when there existed no limitation, the United States need never have a 6-inch-gun cruiser with cruising radius or speed in any respect inferior to that of the 8-inch-gun cruisers. So that the principal argument upon which the contention has been based that 8-inch cruisers are indispensable to the purposes of the United States, and that we ought to have all our cruiser tonnage in that subcategory, is completely answered when it is understood that a 6-inch-gun ship may be navigated as far and as fast as an 8-inch-gun ship.

Under the treaty the United States will have the advantage of Great Britain in possessing 18 ships to Britain's 15 in the 8-inch subcategory. If the 8-inch-gun cruiser is so essential to the United States and its purposes, and the 8-inch-gun cruiser

is so out of harmony with the needs of Great Britain, it should be remembered that she is required to take 15 ships of that subclass which it is said she does not need and does not want.

It is true that 3 of the 18 vessels of this class possessed by the United States will not be completed during the treaty period. They will be laid down and construction will be in progress during the life of the treaty. No one, as far as I understand, anticipates that we are building our naval programs for the early future, in contemplation of the probable occurrence of hostilities between this and any other country during the life of this treaty.

It has been said that there is a distinct disadvantage in the United States not finishing all these ships before the treaty ends. There is a distinct advantage in her not doing so, and it is found in the fact that it will spread out her future replacement program if the policy of limitation be continued through other conferences over a period of years.

The Senator from Virginia [Mr. SWANSON] the other day, in one of the most comprehensive addresses I have ever heard in this body, discussed the replacement program and showed how, when this treaty had been carried out and the replacement program followed as prescribed, the United States will have 154,000 tons of new cruiser shipping more than Japan will have. That is the answer to the criticisms of the replacement program.

The next argument that I have heard made in opposition to the treaty is that it sacrifices the safety of our interests in the Pacific Ocean. Of course, if that be true, the treaty ought not to be ratified. We ought not to ratify a treaty merely for the sake of saving a few dollars—if the treaty does save some amount—if by doing so we subject to peril those interests which it is our duty to preserve. But let us look into that proposition just a little bit.

How can it sacrifice our safety in the Pacific if we have, under the treaty, a better relative navy than Japan, comparing the two navies during the period when no limitation existed? Of course, it may be said that our Government would change its policy and hereafter do what it has not done under the leadership of those who oppose the treaty, and build above Japan, anyway. But under that process what does anyone suppose Japan would be doing? Having gone ahead of us, the natural consequences of such a policy on our part would be to invite that competition which causes insecurity and fear in the breasts of rival peoples. Oh, yes; we have an abundance of resources; we could build as many ships as we desired to build; but in pursuing such a policy we might arouse the suspicion, provoke the fears, and invite the hostilities of peoples who are now friendly and in sympathy with us and whose best interests require that that relation shall be preserved.

We have heard a good deal said about fortifications in the Pacific Ocean and how the United States is committed to a very dangerous policy by the terms relating to that subject incorporated in the Washington treaty, just as if Japan by those terms had not conceded more than the United States conceded.

Under the Washington treaty we reserved the unqualified right to fortify further the Hawaiian Islands. The only area which we agreed not to further fortify is the Philippine Islands, 7,000 miles from the coast line of the United States. Japan bound herself to maintain the status quo respecting fortifications as to Formosa, the Pescadores, the Kurile Islands, and a number of other islands in home or near-by waters. So that if it were a sacrifice of the safety of the United States to enter into an agreement not further to fortify the Philippines, how may we characterize the agreement on the part of Japan, whose near-by possessions under the terms of this arrangement can not be further fortified while the arrangement is in existence?

We had just as well understand that the United States receives just as much security as Japan receives by virtue of the understanding and agreement that neither would further fortify certain possessions in the Pacific Ocean. Indeed, Japan went further than the United States. She made a concession probably greater than that made by the United States.

Then there is another consideration which has definite relationship to this question. The United States and Japan have a common commercial interest. In the year 1928, 42 per cent of all exports from Japan came into the ports of our country. Almost one-half of the Japanese trade with all mankind consisted in trade with the people of the United States. Her exports to this country, as I recall the figures, for 1928, the latest for which figures can be obtained, were \$384,000,000 plus. Out of that \$384,000,000 plus, \$319,000,000 plus consisted in imports from Japan of raw silk. She had no other customer for that product in large quantities. If she lost her ability to reach our market, if a condition arose which prevented Japan from

trading in the United States, her foreign commerce to the extent of one-half would be completely disarranged and much of it completely destroyed. Anyone should know that Japan will find it to her economic interest to continue those intimate commercial relationships which have been gathering strength during recent years.

Instead of endangering our possessions in the Pacific, instead of imperiling the safety of our commerce there, this treaty will have the wholesome effect of strengthening the ties of friendship and giving adequate security to our commerce, not alone because we have a better Navy with the treaty than we would have had without it, but also because the fear and anxiety of Japan will be relaxed and our relationship with her will grow better and better as intercourse continues.

The Senator from Virginia [Mr. SWANSON] in his brilliant address made clear that no sane student of the subject could expect Japan to agree to a program of naval construction which would place her indisputably at the mercy of any other power. It was stated in the testimony before one of the committees, and by a great authority too, that the objection to this arrangement with Japan consists in the fact that the United States fleet could not with assurance traverse the long distance between our coast line and Japan and overcome Japan in her home waters. Would anyone expect Japan or any other government voluntarily to accept terms in a treaty which would make certain the impossibility of her exercising successfully her right of self-defense? Why, certainly not! As said by the Senator from Virginia, one of the great advantages of the treaty is that it removes the impulse to aggression by leaving Japan safe in her home islands and home waters, and by leaving the United States without danger of attack from any naval power on this earth. Talk about peace! What arrangement would be calculated to promote international peace and good will to a greater degree than one which leaves the parties to it with a sense of security so long as they occupy in peace the spheres which they have a right to occupy?

Much has been said about ratios. It has been stated on the floor of the Senate that the American delegates surrendered the ratio prescribed by the Washington conference. I am not sensitive. My limitations as a diplomat have not yet been discovered by my colleagues, and so I am making no complaint if my friends—and I know every one here is partial to me—do not hold me in that high esteem as a diplomat with which, I am vain enough to believe, they regard me as a Senator and as an individual. But the declaration that we surrendered on ratio is without support in evidence. It is not sustained by the facts.

The Washington conference failed miserably when it found itself unable to agree upon limitation in respect to auxiliary craft. The apology and prophecy which I read a few moments ago is not surprising. At that time in the Washington conference the question of cruisers was scarcely mentioned. It was suggested to me the other day in a conversation with the Senator from Montana [Mr. WALSH] that no one at that time seemed to regard cruisers as of very great consequence. If they did, they carefully concealed it and never let their fellow conferees know anything about it. Submarines! Submarines! There was much discussion of that question, but all limitation in that category, as well as in relation to cruisers, failed.

It is true the chairman of the American delegation expressed the opinion that the principle of the ratio of 6 to 10 had been agreed to, in that it had been actually incorporated in the treaty regarding capital ships and aircraft carriers; but it was a mere opinion, like the prophecy I read to the Senate a moment ago. Great man though he be, the chairman proved a false prophet when he said that there would probably follow no competition in the construction of cruisers. Shortly after the conference adjourned there was initiated a program of construction on the part of both Great Britain and Japan that is amazing. So the opinion that the ratio of 6 to 10 had been agreed to in principle has little value in the light of the fact that it had no application whatever to the classes of ships of which we are speaking. The conference failed as to auxiliary craft because it could not agree. It is true there were various reasons given for the failure, but the fact is that we know every nation signatory to the Washington conference limitation treaty was left entirely free to build in any of the unlimited categories to the extent that it desired.

Of course, following the Washington conference, we stood still for a material time; we built little; but we finally entered the realm of competition. When the Geneva conference failed in 1927, this Government began a construction program that it had been perfectly free in law and in morals to carry out years ago; and it began that program because Congress realized that other rival powers had been building rapidly since the Washington conference, and were continuing that process. The era of competition was ushered in, and it is to terminate that era

that we are fighting this battle here. Let men align themselves on the side they believe to be right. The issue is whether we shall reject this treaty, regardless of the suspicion of rival naval powers as to our motives for doing so, and whether we want to invite and contribute to that competition which throughout the centuries gone by has resulted in war instead of peace.

Let me show something about these actual construction programs. Between 1924 and 1929 Great Britain laid down and built 146,000 tons of 8-inch-gun cruisers and between 1922 and 1928 Japan laid down 108,400 tons of the same subcategory.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Nebraska?

Mr. ROBINSON of Arkansas. I yield.

Mr. NORRIS. Will the Senator repeat the statement and dates he mentioned?

Mr. ROBINSON of Arkansas. The dates have relation to the period that followed the Washington conference. They are not exactly synonymous, but there is really very little significance in the fact that they are not. Some years one of these nations laid down no ships at all, but I am giving the years during which the construction took place. I will repeat the statement to which the Senator from Nebraska referred.

Between 1924 and 1929 Great Britain laid down and built 146,000 tons of 8-inch cruisers, and between 1922 and 1928 Japan laid down 108,400 of the same category.

Following the World War the United States never laid down a ton of 8-inch cruisers until 1926. Beginning with that year the United States arranged to build 130,000, but of that tonnage, 50,000 tons were not to be laid down until the present year, 1930. During the entire period since the World War the United States has completed only 20,000 tons, while Great Britain has completed 110,000 tons and Japan 68,400 tons of 8-inch cruisers.

With respect to the 6-inch-gun category, our Government has not laid down a ton since the World War; neither has Great Britain. Japan, however, has laid down 18,475 tons. We completed, from 1923 to 1925, inclusive, 70,500 tons of 6-inch-gun cruisers, known as the *Omaha* type. At a time when we only had 20,000 tons of 8-inch-gun cruisers it was the policy of the Navy to run far ahead in 6-inch-gun cruisers. There were built 70,500 tons when, I repeat, there were built only 20,000 tons of 8-inch-gun cruisers.

Great Britain during the year 1926 finished 15,130 tons of this subcategory, while Japan, from 1922 to 1925, inclusive, completed 49,495 standard tons. Our ratio with Japan in cruisers under age on the respective navy lists at the time of the conference was one of amazing inferiority, as I have already shown. Under the treaty the ratio in tonnage of 8-inch-gun cruisers will be 10 to 6; in 6-inch-gun cruisers, 10 to 7; and, in submarines, 10 to 10.

Everyone knows that when a nation enters an international conference the status quo respecting naval strength is a material factor in determining limitation. We entered the Washington conference under the conditions to which I have referred.

The treaty reverses in some of these categories enormous percentages of advantage possessed by Japan at the time of the conference in ships actually in commission, and we have secured the relationship which I have attempted to set forth.

I must conclude, because within five minutes I must leave to begin an address engaged to be delivered some time ago at another place; but I wish to take the remaining time to discuss the declaration which has been made, that the disposition of those who support this treaty is to discredit the United States and places it in a condition of inferiority.

Mr. President, I have not had time this morning—I may do so on another occasion—to discuss the subject of parity and other phases relating to this controversy not touched upon in this address. This treaty gives the United States a much better relative position than it has heretofore possessed with respect to Great Britain, even if it be denied that it assures absolute parity with that power. It would be difficult to define parity acceptably to all students of this treaty. Some have said that it means that we must offset in cruisers the potential value of Britain's superiority in merchantmen. That is an impracticability. In the first place, our commerce is growing. To-morrow we hope to possess more ships upon the sea, more merchantmen, than we possess to-day. If we undertook to offset the possible advantage which Great Britain possesses in a larger merchant marine, we would be compelled to concede the same principle to Japan. We are many times stronger in merchantmen as compared to Japan than Great Britain is stronger than we are, and if we avow the principle that the United States must have compensation for possible cruisers that Great Britain might convert from her merchantmen we

must give that same right to Japan. It will be seen at once that thus we would introduce a variable factor, a constantly changing factor. We do not know now what merchant shipping Great Britain will possess five years from this date, nor do we know what we will have. Our commerce is rapidly expanding. American ships are running now to the ports of all the world, and we hope that our merchant shipping—ships flying the American flag—will greatly increase in the early future; but if we formulate a naval program on the basis of the difference in merchantmen, we will have no stability of limitation, no definiteness of limitation, because it will constantly change.

Then there is another reason why we can not offset with cruisers merchant ships which might be converted in time of war, and that is there is no basis, scientific or practicable, for determining the military or naval value of such ships. In the exempt class limited to 2,000 tons and 4-inch guns the United States has a method, if it chooses to adopt it, by which it could offset in large degree the notable advantage which Great Britain enjoys over us in merchant marine.

Mr. President, believing that this treaty will promote good will among the signatories; that it will give increased safety to the commerce of the United States; and that it will work no injury to any interest which the Senate is in duty bound to conserve, I give my vote to the ratification of the treaty.

Mr. McKELLAR obtained the floor.

Mr. REED. Mr. President, will the Senator yield to me to ask that an article may be printed in the *RECORD*?

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Pennsylvania?

Mr. McKELLAR. I am glad to yield to the Senator from Pennsylvania.

Mr. REED. I send to the desk an article published in the New York Times of yesterday, and ask that it may be printed in the *CONGRESSIONAL RECORD* in parallel columns in the same fashion as it is printed in the newspaper.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The article referred to is as follows:

[From the New York Times of Sunday July 13, 1930]

TREATY DISADVANTAGES OF AMERICA AND BRITAIN COMPARED

WASHINGTON, July 12.—The State Department made public to-day a comparison of statements made by opponents of the London naval treaty in the United States and Great Britain.

The views of the American and British "irreconcilables" were presented in parallel columns under the heading, "Similarity of the views of Senator HALE and the minority report of the Foreign Relations Committee with the views of certain members of the British Parliament."

The comparison was as follows:

UNITED STATES	GREAT BRITAIN
Senator HALE (July 11, before the Senate):	Winston Churchill (May 15, House of Commons):
"The British by the terms of this treaty have us hamstrung and hog tied and there they will keep us as long as limitations of armaments are the order of the day."	"I am astonished that any admiralty board of naval officers could have been found to accept responsibility for such a hamstringing stipulation. * * * It is to make it certain that our cruiser forces will be reduced to inferiority before the treaty comes up for revision in 1935 or 1936."
Minority report of Senators JOHNSON, MOSES, and ROBINSON of Indiana:	Sir Gervais Rentoul (June 2, House of Commons):
"The treaty hamstringing us in the Pacific by its unjustified and unfair increase in the ratio of Japan."	"I am not at all sure that it is in the interests of peace for us to have tied our hands in the way we seem to have done under this treaty."
Senator HALE (July 11, before the Senate):	Winston Churchill (May 15, House of Commons):
"While its proponents claimed that the treaty provides for parity with Great Britain, as a matter of fact it provides no such parity during the life of the treaty unless, which is unthinkable, we exercise the right under the option as to cruiser building and build ship for ship with Great	"It is not a treaty of parity at all in the sense that Great Britain and the United States should be equal powers upon the sea, but, on the contrary, it is a formal acceptance by Great Britain of definitely inferior sea power."
	Colonel Gretton (May 15, House of Commons):

UNITED STATES

Britain along the lines of her naval needs and not at all along the lines of our own."

Minority report of Senators JOHNSON, MOSES, and ROBINSON of Indiana:

"The treaty does not give us parity with Great Britain in naval power or commerce protection."

Minority report of Senators JOHNSON, MOSES, and ROBINSON of Indiana:

"The boast most often heard by the sponsors of the London treaty is that finally it has given to us parity. We fondly imagined we had obtained it in 1922, but the advocates of the London treaty, in rather contemptuous repudiation of the 1922 agreement, plead now in behalf of the treaty before us that, notwithstanding we were either mistaken or deceived at Washington, the wrong has been righted at London and that finally by the gracious permission of Japan and Great Britain the United States is accorded the parity that we desired. Unfortunately this is not so."

Minority report of Senators JOHNSON, MOSES, and ROBINSON of Indiana:

"We can build the cruisers Great Britain 'permits' us to build, but not those we ourselves, because of our requirements, desire to build."

GREAT BRITAIN

"It [the treaty] has been brought about by scaling down the British Navy to the size which suits the United States."

Winston Churchill (May 15, House of Commons):

"Under superficial and paper appearance of parity this treaty embodies a solemn acceptance by the British Empire of a permanent secondary position in sea power."

"We are no longer to have a navy equal even for purpose of battle—I say nothing of trade protection—to the other leading navy of the world."

"It would have been better to have said that we could not accept numerical parity because it takes no account of the conditions of our life."

Colonel Gretton (May 15, House of Commons):

"We have cut down our navy to a position of inferiority."

Commander Southby (May 15, House of Commons):

"The United States have achieved supremacy at sea by means of our reductions."

Major Ross (May 15, House of Commons):

"I think the United States have got more than parity and that the other three fleets concerned are going to increase."

Winston Churchill (May 15, House of Commons):

"It is not a treaty of parity; it is a treaty of inferiority in form and on paper, and still more a treaty of inferiority in reality."

Winston Churchill (June 2, House of Commons):

"It seems to me that now we are abandoning our naval supremacy and all claims to it, and we are merely gambling upon the question of parity with another great power."

"We are asked to accept naval inferiority, that is our allegation, that is our charge, after all these centuries."

Major Ross (June 2, House of Commons):

"As regards the question of parity, by about 1930 if there is a numerical parity our ships will average over 19 years old and the United States only 6 or 7 years old."

Sir B. Falle (June 2, House of Commons):

"We want real parity. If we do not get it, we must be inferior and subservient. * * * In my opinion, so far as our sea routes are concerned and so far as the security of the Empire is concerned, the Government in this treaty have betrayed their trust."

Winston Churchill (June 2, House of Commons):

"Surely it is a great shame to take away from this country by international instrument all that flexibility, that power of varying types, modifying types, which in itself was a restraint on this ab-

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Senator HALE (July 11, before the Senate):

"Under the treaty we attempt to purchase the good will of the world through the sacrifice of our right to safeguard our interests. We will get not good will but the contempt that a supine nation invariably gets and deserves to get."

Minority report of Senators JOHNSON, MOSES, and ROBINSON of Indiana:

"At Washington in 1922 our great superiority in battleship power was emasculated without commensurate return. Now our great superiority in destroyers and submarines is similarly eliminated without material compensation. Both at Washington and at London British diplomacy succeeded in doing this to us, while at the same time retaining Great Britain's superiority in cruiser forces with which they went into both conferences."

Senator HALE (July 11, before the Senate):

"The treaty gives to Japan, in return for no consideration whatever except that of signing the treaty, a substantial increase over the ratio provided for capital ships in the Washington treaty."

Minority report (Senators JOHNSON, MOSES, and ROBINSON of Indiana):

"The London treaty destroys the 5-5-3 ratio, so dearly bought at Washington."

"The surrender of the 5-5-3 ratio greatly reduces our ability to

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surd process of building long series of ships all of one kind and matched exactly with their counterparts in another navy."

Winston Churchill (June 2, House of Commons):

"Let me suggest * * * the true title of this treaty, * * * an international treaty for stereotyping naval armaments at a very high level to the special detriment of Great Britain."

Colonel Gretton (May 15, House of Commons):

"I regard this treaty as one which weakens the power of the British Empire and is of no benefit to this country. It is calculated to bring our Government into ridicule and derision throughout the world."

Rear Admiral Beamish (May 15, House of Commons):

"I understand that our political delegates in this country were unanimous, but I submit that they were also pusillanimous."

Commander Southby (June 2, House of Commons):

"By signing part 3 of the treaty the government have not only given away British sea power but they have gerrymandered the interest of the British Empire in the most shameless way that has been done since they have been in office."

Winston Churchill (June 2, House of Commons):

"Undoubtedly this treaty worsens our position relatively to Japan."

Winston Churchill (June 2, House of Commons):

"Let us look and see what the treaty does for us about Japan. I have the highest admiration for Japan. Very good friends they have been to us, and I mention them not in any invidious or doubting spirit, but see what the treaty does for us about Japan. We are to scrap five battleships and the Japanese are to scrap one. * * * Besides this, Japan has secured the authorization to build within 30 per cent of the cruiser strength of Great Britain or the United States. Surely, that is not a good bargain."

Winston Churchill (May 15, House of Commons):

"The United States are engaged in building; the Japanese have been given an increase in their ratio; naval construction is going on everywhere; and all that is happening is that we, and we alone, are barred."

Colonel Gretton (May 15, House of Commons):

"The treaty has been brought about by scaling down the British Navy to the size which suits the United States and getting Japan to agree to a balance in certain categories of 60 per cent, instead of 70

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protect a rapidly growing trade, which has already reached proportions of first magnitude and upon which American business, prosperity, and livelihood vitally depend.

"The treaty hamstrings us in the Pacific by its unjustified and unfair increase in the ratio of Japan. It keeps us to our bargain not to strengthen our far Pacific bases, yielded as the consideration for the ratio, while permitting the other party to the bargain to evade its obligations."

Senator HALE (July 11, before the Senate):

"Probably no such sacrifice has been made by any other nation in the history of the world [referring to scrapping of ships by the United States under the Washington treaty], and it was undoubtedly our hope . . . that a similar spirit of sacrifice would be shown by other nations parties to the [London] conference."

Minority report (Senators JOHNSON, MOSES, ROBINSON of Indiana):

"The splendid example of sacrifice made by our country in 1922 and thereafter our marked restraint in naval building have actually been utilized to our detriment and have been made the excuse for still further sacrifice unmatched by any other nation."

Senator HALE (July 11, before the Senate):

"I shall not attempt to analyze the treaty section by section. There are many parts of it to which I would willingly subscribe."

Mr. McKELLAR. Mr. President, on last Friday President Hoover sent a message to the Senate refusing to permit the Senate to see the documents, papers, and dispatches having to do with the consideration of the London treaty.

Mr. JOHNSON. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. No, Mr. President; I ask the Senator not to do that. I am not going to take very long, and I think there are a sufficient number of Senators present. I merely want at this time to discuss the President's message of last Friday.

As I introduced the original resolution asking the President to send these papers to the Senate, I deem it proper at this time to analyze that message, if I may.

The grounds of the President's refusal are unique and astonishing; but I first take up the several points he made.

As I said before, the President's message is indeed a remarkable document. He says:

This treaty, like all other international negotiations, has involved statements, reports, tentative and informal proposals as to subjects, persons, and governments given to me in confidence.

In the first place, when these governments gave these proposals and the like to President Hoover in confidence, they knew, or were charged with knowledge, that the Senate was coequal with the President in making treaties for the United States, and that this information must necessarily go before the Senate as well as before the President. I dare say that no foreign government, that no foreign diplomat, ever gave anything to the commissioners or to the President himself in confidence without at the time of delivery expecting such facts to go before the Members of the Senate, when both are coequal in treaty making.

To illustrate, if a man took up a partnership matter with one partner in a firm would he not be presumed to know that

GREAT BRITAIN

per cent, of the next strongest power which Japan desired. We have an agreement which admittedly sacrifices our naval power."

Rear Admiral Beamish (May 15, House of Commons):

"The United States and Japan will build up a newer, better, and more efficient fleet than either of them has ever possessed in the past, and yet we are asked to accept the idea that this is a disarmament treaty."

Winston Churchill (May 15, House of Commons):

"It is our belief that we have done by action and example more than . . . any other power in the world.

"We ask ourselves whether this immense surrender on our part . . . will end the naval controversy between Great Britain and the United States."

Commander Southby (June 2, House of Commons):

"This treaty, like the curate's egg, is excellent in parts, but there are parts of it which are extremely unpalatable."

that partner was in duty bound to give the same information to his partner? The President ought not to have received any communication in any such confidence, knowing, as he did, that the Senate was coequal in all treaty matters. He had no right to do so without the consent of the Senate.

The President next says:

The Executive, under the duty of guarding the interests of the United States, in the protection of future negotiations, and in maintaining relations of amity with other nations, must not allow himself to become guilty of a breach of trust by betrayal of these confidences.

"A breach of trust," says the President! A breach of trust to whom? He says it would be a breach of trust toward foreign representatives if he should give this information to his co-partner, his coequal, to whom it is a duty to give these secret documents.

Does he say that he is guilty of a breach of trust toward his partner? Oh, no! He is guilty of a breach of trust to those who gave him the documents. Yet there has been but one breach of trust made by the President, and that was toward his co-partner—the Senate of the United States—in not giving these statements to the Senate.

Mr. President, our President has just gone beyond the bounds, as it seems to me. Is it possible that he considered himself the sole guardian of the interests of the United States, when the Constitution declares with respect to treaty making that the Senate is just as much of a guardian of the interests of the United States as he is? Why are his duties to other nations in treaty making of so much more sacred character than the duties of the Senate of the United States, which is his coequal in the making of treaties?

Think of it, Senators! The President says that to give you any information of a confidential nature about a treaty made with our country would be a breach of confidence on his part! It is inconceivable that any President would take such a position.

I next quote:

He [the President] must not affront representatives of other nations and thus make future dealings with those nations more difficult and less frank.

Yes, Mr. President; President Hoover, it seems, is willing to violate the spirit of the Constitution of the United States, to disregard its mandate of equality between himself and the Senate in the treaty-making power; he is willing to affront 96 Senators, Members of the Senate elected by the people of the various States of the United States, rather than to affront representatives of foreign nations who may be injured in some way, but the President is unwilling to disclose in what way, as contained in these papers. The President is surely an internationalist. He has more regard for the representatives of Japan, Great Britain, France, or Italy, apparently, than he has for the Members of the United States Senate, who are his coequals in the treaty-making power.

Again, says the President:

To make public in debate or in the press such confidences would violate the invariable practice of nations.

Mr. President, who is asking to make public in debate or in the press these papers? Under the very wording of the resolution he could have sent them in confidence to the Senate and asked that they be kept in confidence; but he does not choose to do this.

He next says that it—

Would violate the invariable practice of nations.

Yes, sir; our President is impregnated with the old doctrine of secret diplomacy—that doctrine which has caused more wars than all the battleships that have ever been built have caused. Perhaps most of the wars in all history have been caused by the misunderstandings, by the misinterpretations—not to call them by worse names—of secret diplomacy; of that secret diplomacy which the President of the United States upholds and defends in his refusal to furnish these papers to his coequal, the Senate of the United States. This very treaty, written in secret, is a notable example of the misunderstandings, doubts, suspicions, and hatreds brought about by secret diplomacy.

Why, France and Italy, if we are to believe the newspapers—and I do—were almost on the verge of war all during these conferences in London. Time and again, as we recall, the papers stated that unless there was some way to stop that conference over there France and Italy would come to grips. Yet we talk about this treaty doing away with misrepresentations and bringing about a better understanding, when, as a matter of fact, this very secret treaty came very near involving two of the great nations of Europe in such a misunderstanding as to bring about violence!

Not only that, but Great Britain and France came to a serious misunderstanding during this diplomatic warfare they had over there. Some of the delegates were constantly taking up their hats and going home. We remember that time after time the Prime Minister of France—I believe he is called the Premier of France—picked up his hat, and some said he was coming back, and some said he was not; and finally he signed not the treaty that we signed but some innocuous provisions of it. Instead of the conference making for peace, it was doubtful for a time if it would not bring on a European war.

Again, the President says:

It would close to the United States those avenues of information which are essential for future negotiations and amicable intercourse with the nations of the world.

If what we had over there in London constituted "amicable intercourse" between nations, then God save the mark! There was nothing amicable about it. Each nation was striving with all of its might and main to get an advantage over some other nation, bringing about misunderstanding; and right now who knows what their understandings are? In Japan they claim they are one thing. In Great Britain they claim they are another. In America I do not know what we claim about it, because we never have been able to find out what the real facts are. But I say it would do no such thing. There is nothing so hurtful to amicable intercourse between nations as this Machiavellian secret diplomacy. It is inimical to the freedom of people. It ought not to have any place in a free republic. It smacks of the old doctrine of the divine right of kings and rulers. It ought to be done away with. There is but one way to insure good will and amicable relations with other nations, and that is for the Executive to carry on these negotiations in public. Let in the light of publicity upon them, and there will not be any of these misunderstandings.

What has caused misunderstandings? It is secret diplomacy, refusal to give out the facts; and as long as we have that sort of diplomacy and as long as treaties are made in any such way as that we are going to have misunderstandings and unfriendly relationships with the other powers of the world.

As I have said before, there is but one way to conduct negotiations on the part of the United States in treaty making, and that is for all covenants to be open and openly arrived at.

As just stated, this conference almost brought on a war between France and Italy. If the future negotiations spoken of by the President are as warlike as those of the London conference, we had better not have any more of them. It would be better for our country and better for the world.

The President then says:

I am sure the Senate does not wish me to commit such a breach of trust.

Mr. President, what does Mr. Hoover mean? The Foreign Relations Committee asked for these papers by an overwhelming majority, and the Senate asked for them with only four dissenting votes, and these dissenting votes were based on another fact entirely. All four of those Senators wanted the papers but objected to the qualifying words that were used. Every Member of the Senate who was present and voted demanded those papers of the President of the United States; and yet he comes here with an answer and says that the President does not believe that the Senate would want him to "commit such a breach of trust"!

Why, Mr. President, "breach of trust"? As I said before, and as I am going to point out more particularly in a moment, there has been but one breach of trust committed, and that is the breach of trust of one copartner against the other. The President has committed a breach of trust against the Senate of the United States, his coequal and copartner in treaty making.

The President next says—now, listen to this; this comes from our President:

I have no desire to withhold from the Senate any information having even the remotest bearing upon the negotiation of the treaty.

Think of that, now, in view of our efforts to prize this information out of him! The Foreign Relations Committee voted twice for it and were refused twice. The Senate of the United States unanimously voted for it, and it was refused; and yet the President, in a message refusing it, says:

I have no desire to withhold from the Senate any information having even the remotest bearing upon the negotiation of the treaty.

Is it possible that the President of the United States is not familiar with this situation? Such language would naturally lead one to infer that he is not familiar with it. The Foreign Relations Committee of the Senate had asked twice for the information, and they had failed to get it. He has given no

information himself, his Secretary of State has given no information. The President may not personally have examined these papers. How do we know? He does not say that he has personally examined them. I imagine he has been informed by somebody as to what they contain. What bearing the papers have upon the negotiation of the treaty I do not know. I have an idea that the President has never examined them personally, and does not himself know. The President then said—and I ask Senators to listen to this in the light of the record:

No Senator has been refused an opportunity to see the confidential material referred to, provided only he will agree to receive and hold the same in the confidence in which it has been received and held by the Executive.

Who knows how it has been received and held by the Executive? Who knows whether this information is material, whether it is information that ought to be divulged or not? If the President of the United States has received in these negotiations information that ought to be divulged to the people of the United States, it ought to be divulged, and the President has a wrong notion in regard to it, and he ought not to ask that the individual Senators commit themselves in advance concerning it. If he wanted the Senators to receive it, why did not he send it down to the Senate and ask that it be held by the Senate in confidence? I have no doubt that if the President had asked that the Senate hold it in confidence, and especially if what it contains is "ridiculous," as some one has said, and "wholly immaterial," as some one else has said, then there is not the slightest doubt about it being held in confidence by the Senate; but the Senate is the one to determine whether it is to be held in confidence.

The President next says:

A number of Senators have availed themselves of this opportunity.

What Senators know all about the facts of this treaty? What Senators have read these confidential communications? I pause long enough to let those who are present indicate whether they have read the papers in confidence. Is there any Senator on the floor who has read the papers? Let him hold up his hand if he does not want to get up and say so. A show of hands would be sufficient. I am sure no Senator who has done so is going to "peach" on anybody. If Senators have received the information in confidence, they are going to hold it in confidence. But I take it that no Senator has seen the documents, notwithstanding what the President has said. The President is just mistaken about it. I do not doubt his word for a moment.

As I understand, the senior Senator from Arkansas [Mr. ROBINSON] knows what is in this record, and I understand the senior Senator from Pennsylvania [Mr. REED] knows what is in it. But what other Senator does? Two are not really enough. Who are the others? As nobody answers, I suppose the two must be the number in this case.

Mr. REED. Mr. President, if the Senator will yield to me, I will answer.

Mr. McKELLAR. I have already said that the Senator knows.

Mr. REED. Several Senators have come to my office and have gone over these papers.

Mr. McKELLAR. Is it such a secret proceeding that the Senator would mind giving to the public the names of those Senators?

Mr. REED. I will let them speak for themselves.

Mr. McKELLAR. The Senator thinks that also is in confidence, then, the Senators who asked to receive the information in confidence. Very well; if the Senator is willing to leave it that way, I am.

Now, I want to call particular attention to the next paragraph in the President's message, this remarkable message, the most unique message, perhaps, which ever came from the White House in the 140 years of our history. Listen to this:

I believe that no Senator can read these documents without agreeing with me that no other course than to insist upon the maintenance of such confidence is possible.

If that is a correct statement, what sort of an attitude does it put the President in? He said that if these documents were read by the individual Members of the Senate, no Senator could read them without agreeing with him that they ought to be kept in confidence. If that is so, why does he not send them? Why does he want to keep them away from Senators? If there is nothing in them from which any Senator could believe that there was anything that ought not to be kept in confidence, what would be the injury of the President sending them to the Senate? He contradicts everything he said in the message prior to that.

If he believes that no Senator can read these documents without agreeing with him that no other course is possible than to insist upon the maintenance of such confidence, then why does he refuse to send them? Mr. President, why this contradiction? The President asserts that he believes every Senator will keep it confidential and yet he refuses to give it to the Senate on the ground that he would betray a confidence. This sentence not only contradicts itself, but it contradicts the statements made before in the message. And it contradicts the acts of the President in withholding the documents.

Mr. President, the President then says:

And I take this opportunity to repeat with the utmost emphasis that in these negotiations there were no secret or concealed understandings, promises, or interpretations, nor any commitments whatever except as appear in the treaty itself and in the interpretive exchange of notes recently suggested by your Committee on Foreign Affairs, all of which are now in the hands of the Senate.

Then, Mr. President, under these circumstances, I am quite sure that the President will notify his friends in the Senate that he will accept the reservation offered by Senator NORRIS, in which reservation it is said that the treaty will be ratified with the understanding that there are no secret understandings. Surely no one can object to the reservation offered by Senator NORRIS.

I have read every particle of the President's message sentence by sentence, and lastly the President said:

In view of this, I believe that to further comply with the above resolution would be incompatible with the public interest.

What public interest? The public interest of the people of the United States? Well, he does not say so. Quite the contrary, he argues that it would be contrary to the public interest of the representatives of Great Britain or Japan or France or Italy. His whole argument is based on the theory that to furnish these documents would be a breach of trust to the foreign governments with which he dealt. It is not against the public interests of the United States, surely. He does not claim it is against the public interest of the United States. He just says "public interest," and, of course, there is but one conclusion that can be drawn here, and that is that it is against the public interest of the other countries. Well, up to date the President has not been selected to guard the interests of foreign countries. It is his duty to guard the interests of the United States and to obey its Constitution and to carry out its laws.

Mr. President, I next come to a proposition of law on which the President is evidently absolutely wrong. Under the Constitution of the United States the Senate and the President are made joint partners, coequal partners, in the function of treaty making. No one disputes that proposition of law. It can not be disputed.

What is the law about partnerships? I went down to the library and undertook to find out what the law of partnership is. I thought I knew it, and I find it to be just exactly what I expected it to be. I want to read very briefly from some of the most noted law writers in the world on the subject of partnership with respect to such a matter. I quote from Rowley on the Law of Partnerships, section 394, page 466:

It has been well settled that a partner holds for the firm all leases, contracts, or other things received by him personally and which came through his connection with the firm and which, on account of their nature or the circumstances surrounding the transaction, should belong to the firm. His possession and control is that of the firm, and he can do nothing to exclude copartners from possession or control.

I see several lawyers here doing me the honor of listening to me, who are Senators also. Does anybody doubt that proposition of law, first, that the Senate and the President are coequal partners in the business of treaty making, and, secondly, that the possession of one or all the papers and documents in reference to a partnership matter makes them the joint property of all, and that they are all entitled to them? One partner can not exclude another unless by force or law, and the President has undertaken to exclude the Senate by force. He has the documents, and we would have to take them away from him in order to get them. The law says they are the joint property of the two partners, namely, the Senate and the President; but the President withholds them.

Again, says Mr. Rowley:

Each partner has an interest in the business and is therefore concerned about the policy of the firm and must, in the absence of partnership agreement to the contrary, be consulted about the management of the firm business.

Again:

Where one partner is present in sole charge of the business while the other is at a distance—

Remember, one partner was in London, and we, the other partner, were over here engaged in other business at the time—

Where one partner is present in sole charge of the business while the other is at a distance in order to sustain a sale of the absent partner's interest it must be made to appear that the price paid approximates a fair consideration for the thing purchased and that all the information in the possession of the purchaser necessary to enable the seller to form a sound judgment of the value of what he sells should be communicated by the buyer to him.

Mr. President, here is a treaty made in London, and when the Senate, one of the copartners, asks the other copartner, "What are the facts?" he says, "You can have certain facts, but others must be withheld. You are not entitled to them."

I read again:

Each partner has the right to possess in common with his copartner the firm property. Neither partner separately owns nor has the exclusive right of possession of any particular articles of personal property. (Ruling Cases, vol. 20, p. 874.)

And again:

The utmost good faith is required of partners in their relation with each other. (Ib. p. 878.)

Is it good faith for the Executive in this case to contract a treaty and say, "Now, you just take that treaty and ratify it or not, as you will. I have all the facts in my possession which led me to accept it, but I decline to let you have those facts." Is that good faith?

Again:

Since each is the confidential agent of the other, each has the right to know all that the others know and each is required to make full disclosure of all material facts within his knowledge in any way relating to the partnership affairs. (Ib. 879.)

Has the President done this? He sent the Secretary of State down here and the Secretary of State said, "We will give you a part of the documents, but you must not look at the others. We can not let you see them."

Mr. Lindley, on his standard works on partnership, volume I, page 303, says there is required—

High standards of honor requisite among partners and among those about to become partners and among those who have ceased to be partners.

Bates on Partners, volume 1, page 303, says:

The partners owe to each other the most scrupulous good faith. Each one has a right to know all that the others know, and their connection is one of great confidence, and the uberrima fides of a fiduciary relation will be the standard of fidelity exacted from them.

What does this department know about the treaty, as a matter of fact? Has the President disclosed all the facts? Oh, no. Everybody admits that he has not done so, and the President has said, "I will not do so."

Mr. President, from the foregoing indisputable principles as to partnership, which principles are applicable here, it is seen that Mr. Hoover is wholly wrong when he speaks of his giving this information to the Senate as being a breach of trust toward representatives of foreign governments.

On the contrary, Mr. President, it is a clear and distinct breach of trust and a violation of the law of good faith for the President to refuse to give this information to his copartner. It is seen from the foregoing principles laid down by law writers that it is the duty of a partner to impart to other members of the firm or another member of the firm any secret information he obtains from any source in reference to the partner's business. Here Mr. Hoover, instead of imparting his information in reference to the treaty making, withholds the information, so that instead of it being a breach of trust to give the information to the Senate it is a breach of trust under every known and equitable principle of law for him to withhold this information from the Senate of the United States, his constitutional equal partner in treaty making.

Mr. President, let us see just what the situation is. Mr. Hoover, as President of the United States, is one of the coordinate branches of the treaty-making power of the United States. He and the Senate are partners in the treaty-making function under the Constitution. He knows that. His associate in the treaty-making power, the Senate, knows that. Representatives of the other four nations know that. They knew that when they were dealing with him in the London conference. All were fully advised. Yet the President now tells the Senate that representatives of other powers gave him in confidence, and that he received in confidence, documents and papers touching the treaty which would be a breach of confidence to show his associate and coequal in the making of this treaty.

Mr. President, the President is wholly mistaken as to his contention. Instead of it being a breach of confidence to show

his associate and coequal in the treaty-making functions the documents and papers touching the treaty it is a clear and absolute breach of confidence for him not to do so. He violates the law of partnership as heretofore shown.

Another remarkable thing about the matter is that it constitutes an admission by the President that in negotiating with foreign powers he was willing to receive in confidence documents and papers which he was to withhold from his coequal associate. In thus acting the President has affronted the Senate in a most monstrous way. If the Senate has the slightest respect for itself, it must refuse to ratify a treaty thus negotiated by the President. How can any Senator defend such a course? What are these papers that he should have received from foreign powers in such a confidential way that he claims he would be guilty of a breach of trust if he were to show them to his associate, the Senate, in the making of this treaty? Why does he withhold these documents and papers from the Senate when under the law as laid down by all the text writers it is his duty to impart this secret information to his copartner?

Mr. President, I know that President Hoover does not like the Senate as a body; but does that justify him in entering into such secret negotiations with foreign powers that makes him believe he would actually be guilty of a breach of trust if he told the Senate the facts about these negotiations? Is this treaty so weighed down with secrets that the President of the United States, in his opinion, would be guilty of a breach of trust to the other powers if he imparts the facts on which the treaty is based to the Senate, his copartner, as it is his well-established duty to do?

Of course, Mr. President, if such is the case the treaty should not be ratified. We ought not to ratify it because of the President himself. Suppose hereafter the Government of France or the Government of Japan or Italy or Great Britain should give out the facts, might that not very seriously embarrass our President? He says he must guard "the interest of the United States" by concealing these facts. Well, in order to help him we ought to reject the treaty. Then these secret facts, however hurtful to the United States if the treaty should be ratified, would at least, if the treaty is not ratified, become innocuous. We ought never to let our President run the risk of having these facts ever to come out, these facts that he is so determined to conceal not only from the Senate but from the American people. We ought never to let him take a risk like that.

Suppose some wicked Senator—and the President seems to think there are many wicked Senators—should look at Senator REED's copy, as the President has invited him to do in confidence, and then "peached." Then Mr. Hoover, by his own admission, indirectly at least, would be guilty of "a breach of trust" and would also be guilty of a "betrayal of confidences," for he pointed out the indirect way.

The President says he must not affront representatives of foreign nations. This is a plain admission that there are secret facts in this record that, if published, would affront foreign powers. This is another reason why this treaty ought not to be ratified. These facts might come out some time in the way I have indicated, and then we would have affronted the other powers. Evidently the other powers put these documents and papers in the record, but the President received them in secret. He must run no risk about divulging them. He must protect the foreign powers. It is wholly immaterial, of course, if he affronts the Senate, his associate and coequal in the treaty-making power. He does not like the Senate anyway. It sometimes opposes his views. It sometimes runs counter to his judgment. It does not always obey him. And, besides, it can not keep a secret. It might let the "cat out of the wallet" about his pet treaty. The wicked Senate might affront foreign representatives. The wicked Senate might think more of the interest of the United States than it does of the interest of foreign countries. How awful that would be. So the papers are refused.

Mr. President, there is but one safe plan to follow, and that is to defeat the treaty.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HASTINGS in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	Hatfield	Metcalf
Bingham	Gillett	Hebert	Norris
Black	Glenn	Johnson	Oddie
Borah	Goldsbrough	Jones	Overman
Capper	Gould	Kendrick	Patterson
Caraway	Greene	Keyes	Phipps
Dale	Hale	La Follette	Pine
Deneen	Harris	McKellar	Reed
Fess	Harrison	McMaster	Robinson, Ind.
Fletcher	Hastings	McNary	Robison, Ky.

Schall
Sheppard
Shortridge
Smoot

Stefwer
Stephens
Sullivan
Swanson

Thomas, Idaho
Thomas, Okla.
Trammell
Vandenberg

Walcott
Walsh, Mass.
Walsh, Mont.

The VICE PRESIDENT. Fifty-five Senators having answered to their names, a quorum is present.

Mr. FESS. Mr. President, I ask unanimous consent to have printed in the RECORD some cases in reference to the withholding by the President of communications requested by the Senate. I have been looking over these cases and am ready to confirm them.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

CASES IN WHICH PRESIDENT HAS REFUSED INFORMATION ON FOREIGN AFFAIRS REQUESTED BY THE SENATE

One of the first instances in which information concerning foreign affairs was requested by Congress occurred during Washington's administration when the House of Representatives passed a resolution requesting that a copy of the instructions to the minister of the United States, who negotiated the Jay treaty, be laid before the House. Washington's reply of March 30, 1796, may be summarized by the following excerpt from his communication:

"The nature of foreign negotiations requires caution and for success must often depend on secrecy; even when brought to a conclusion a full disclosure of all the measures, demands, all eventual concessions which may have been proposed or contemplated would be extremely impolitic; for this might have a pernicious influence on future negotiation, or produce immediate inconveniences, perhaps danger and mischief in relation to other powers. The necessity of such caution and secrecy was one cogent reason for vesting power of making treaties in the President, with the advice and consent of the Senate, the principle on which that body was formed confining it to a small number of Members. To admit, then, a right in the House of Representatives to demand and to have as a matter of course all the papers respecting a negotiation of a foreign power would be to establish a dangerous precedent."

This precedent established by Washington has been repeatedly referred to or quoted, not only in respect to later requests of a similar nature by the House but also with respect to requests by the Senate, notably in the Senate debates of January 28, 1904, and February 6, 1906.

On March 15, 1845, President Polk, in reply to two resolutions, dated March 12, 1845, the first of which requested the President to inform the Senate what communications had been made by the Mexican minister in consequence of the proceedings of Congress and the Executive in relation to Texas, said in part:

"With the highest respect of the Senate and a sincere desire to furnish all the information requested by the first resolution, I yet entertain strong apprehensions lest such a communication might delay and ultimately endanger the great measure which Congress so earnestly sought to accomplish by the 'joint resolutions for the annexation of Texas to the United States.' The inflammatory proceedings which have been adopted by the Executive to give effect to this resolution can not therefore, in my judgment, at this time and under existing circumstances, be communicated without injury to the public interest."

President Fillmore twice refused to give information to the Senate in response to resolutions passed by that body.

The first resolution, dated June 11, 1852, requested all official information respecting the proposition of the King of the Sandwich Islands to convey the sovereignty of those islands to the United States. On June 26, 1852, Fillmore replied that to comply with this request would not promote the public interests and might well endanger them.

The second resolution of the Senate, dated June 20, 1852, requested information regarding negotiations between the United States and Great Britain, and between the United States and the Republics of Nicaragua and Costa Rica. On July 1, 1852, Fillmore replied that any information in his possession would in due time be laid before the Senate, but that under existing circumstances it would not comport with the public interests to communicate it. He added that a statement which did appear in the public press, and which in part was the cause of the Senate resolution, could only injure the negotiations that were pending, and merited the severest reprobation.

By resolution dated January 8, 1915, the Senate requested the President, if not incompatible with public interests, to cause to be transmitted to it copies of all communications transmitted to or received from representatives of foreign governments touching the seizure or detention by any belligerent nation of shipments of copper from ports of the United States consigned to neutral countries of Europe; also copies of communications declaring copper to be either conditional or absolute contraband, and copies of communications bearing on the declaration of London as regards ships bound for a port in a neutral country from which it was found the enemy government was drawing supplies.

Reply: In a communication transmitted to the President under date of January 26, 1915, and forwarded by him to the Senate, the department stated:

"As the matters to which the call of the Senate relates are the subject of pending diplomatic correspondence with certain foreign governments

looking to an understanding between this Government and the belligerent governments concerned, it does not appear to be compatible with the public interest to communicate at this time the correspondence in regard thereto."

By resolution of January 6, 1916, the Senate requested the President, if not incompatible with the public interest, to inform it regarding certain subjects respecting the situation in Mexico, and to transmit to the Senate documents, letters, reports, orders, etc., therein referred to.

Reply: The department, by a communication of February 12, 1916, to the President, transmitted by him to the Senate on February 17, 1916, stated that it believed it to be incompatible with the public interests to transmit to the Senate at that time the voluminous correspondence, called for by the resolution, between the Department of State and the representatives of the United States in Mexico or that between the department and representatives of the de facto government of Mexico.

Shortly after the conclusion of the Washington Conference on the Limitation of Armament the Senate presented the following resolution (S. Res. 237): "Resolved, That the President be, and he is hereby, requested to furnish to the Senate, if not incompatible with the public interest, all drafts or forms presented to or considered by the delegates of the United States, the British Empire, Japan, or France, in considering the subject of the 4-power treaty."

"Also, copies of all proceedings, records, negotiations, arguments, debates, discussions, and conversations which occurred between the delegates of the United States, the British Empire, Japan, or France, or any of them, covering the subject of the 4-power treaty or the supplementary note which accompanies it or the supplementary agreement relating to it, and subsequently signed."

In a communication from the White House, dated February 20, 1922, President Harding replied to the Senate's resolution as follows:

"Responsive to Senate Resolution No. 237, asking for records, minutes, arguments, debates, conversations, etc., relating to the so-called 4-power treaty, I have to advise that it is impossible to comply with the Senate's request. Many of the things asked for in the resolution it is literally impossible to furnish, because there were many conversations and discussions quite outside the conference, yet vital to its success. Naturally these are without record."

"I do not believe it to be compatible with public interest or consistent with the amenities of international negotiation to attempt to reveal informal and confidential conversations or discussions, of which no record was kept, or to submit tentative suggestions or informal proposals, without which the arrival at desirable international understandings would be rendered unlikely, if not impossible."

"While I am unable to transmit the information requested, I do, however, take this opportunity to say most emphatically that there were no concealed understandings and no secret exchange of notes, and there are no commitments whatever except as appear in the 4-power treaty itself and the supplementary agreement, which are now in the hands of the Senate."

Mr. McKELLAR. Mr. President, I ask unanimous consent to have inserted in the RECORD an excerpt from Jefferson's Manual, page 306, as follows:

It has been the usage for the Executive, when it communicates a treaty to the Senate for their ratification, to communicate also the correspondence of the negotiators. This having been omitted in the case of the Prussian treaty, was asked by a vote of the House of February 12, 1800, and was obtained. And in December, 1800, the convention of that year between the United States and France, with the report of the negotiations by the envoys, but not their instructions, being laid before the Senate, the instructions were asked for and communicated by the President.

I desire also to have inserted in the RECORD immediately after the foregoing a message of President John Adams, dated December 15, 1800:

Gentlemen of the Senate:

I transmit to the Senate, for their consideration and decision, a convention, both in English and French, between the United States of America and the French Republic, signed at Paris on the 13th day of September last, by the respective plenipotentiaries of the two powers. I also transmit to the Senate three manuscript volumes containing the journal of our envoys.

JOHN ADAMS.

Those manuscripts thus signed by President Adams were not all, and on the 19th of December the Senate passed a resolution asking for all the negotiations, the dispatches and letters, and communications passing between the parties, and on December 22, 1800, Mr. Adams sent a second message, as follows:

UNITED STATES, December 22, 1800.

Gentlemen of the Senate:

In conformity with your request in your resolution of the 19th of this month, I transmit you the instructions given to our late envoys extraordinary and ministers plenipotentiary to the French Republic.

It is my request to the Senate that these instructions may be considered in strict confidence and returned to me as soon as the Senate shall have made all the use of them they may judge necessary.

JOHN ADAMS.

Also, about the same time, a treaty was made with the Kingdom of Prussia, and certain documents were sent in connection with the treaty and a request made for additional documents, and the President took a like course in sending the supplemental documents.

This is to be found in the Annals of Congress, Sixth Congress, first session, in the Appendix, the first on page 1098, and the second on page 1216.

Mr. President, this morning the Senator from Ohio [Mr. FESS] put into the RECORD a memorandum of the instances where there had been a refusal on the part of the President to give papers. I ask unanimous consent that the references I have made to instances where requests for papers were complied with be printed in the RECORD immediately following the memoranda inserted in the RECORD by the Senator from Ohio.

Mr. FESS. Mr. President, I am very glad to have the quotations come in that connection, and if the Senator will yield, I may say that the instances to which he has referred occurred at a time when matters of secrecy were regarded as secret, and not when they could be made public. In recent years we have come to the time when matters coming to the Senate as secret documents are not kept secret. There are Members on the floor of the Senate, now Members of this body, who claim publicly that as to whether a matter is to be kept secret or not is not the judgment of the Senate, but their individual judgment, and I have taken the position that when we receive documents in the Senate, although confidentially, we must assume that they will be made public, because Members of the Senate, Members of this body now, are stating that they will not be bound by any secrecy except as in their own judgment. In the days to which the Senator refers, when documents were sent to the Senate they were considered confidential, but to-day I do not think they would be.

Mr. McKELLAR. Mr. President, I am sure the Senator will acquit me of entertaining that kind of a view.

Mr. FESS. Certainly.

Mr. McKELLAR. It might be thought by anyone reading the statement of the Senator that he meant that I entertained such a view.

Mr. FESS. Oh, no!

Mr. McKELLAR. If I accepted documents in confidence, I would hold them in confidence.

Mr. FESS. Two Senators made the statement that they would not be held responsible.

Mr. JOHNSON. Mr. President, may I inquire who those two were who made the statement that if they received documents in confidence they would not consider them in confidence?

Mr. FESS. The Senator will find it if he will consult the RECORD.

Mr. JOHNSON. That is scarcely an answer.

Mr. McKELLAR. In the document placed in the RECORD by the Senator from Ohio the only real precedent shown is that of President Harding in 1922 when he refused to grant certain papers. President Harding, in that statement, said:

I have to advise that it is impossible to comply with the Senate's request. Many of the things asked for in the resolution it is literally impossible to furnish because there were many conversations and discussions quite outside the conference and yet vital to its success, and naturally those are without record.

That was the principal ground which he urged for his refusal. The present case is wholly different because in the case now before us the President of the United States has said, "I have the documents, but it would be a breach of faith for me to send them to the Senate."

Mr. GEORGE. Mr. President, I was most interested in the statement of the Senator from Ohio, who stressed the fact that in the days of President John Adams the documents preceding the making of a treaty were actually sent to the Senate, and at the time Jefferson, in his manual, laid down the general rule that it was the right of the Senate to have all the documents preceding and accompanying the treaty, that the Senate really observed secrecy.

I want to emphasize the fact that the President of the United States has now said that the documents are in his possession or in the possession of the Secretary of State, and that any Senator who would agree to treat them as confidential might see them; therefore all Senators might see them. Hence the argument which the Senator from Ohio now makes falls entirely to the ground.

If the only valid reason, if the only argument in support of President Hoover's declination to send the documents to the

Senate is that the Senate will not regard its obligation to treat the documents as confidential, then the argument is entirely destroyed when the Senator from Pennsylvania [Mr. REED] said, presumably with the assent at least of the President, and later when the President in his message said that any Senator was at liberty to read all of the documents; hence all Senators are at liberty to read all of the documents; and if the Senate as a body will not keep its obligation to treat as confidential the documents, surely the President would not be justified in placing greater confidence in the word of individual Senators who would pledge him that the documents would be held in confidence.

It is most interesting to note that Mr. Jefferson in his manual specifically recognized the right of the Senate to all the papers and all of the documents leading to the conclusion of a treaty, and that the Presidents recognized the right. It is a most significant thing that President John Adams, in the early days of the Republic, in response to two Senate resolutions, transmitted all documents which he in the first instance had withheld from the consideration of the Senate.

Mr. McKELLAR. May I say to the Senator that he had sent a portion of them, just as President Hoover did in this case, and the Senate then passed a resolution asking for the additional papers, and he at once complied, saying that he hoped the Senate would hold them in confidence.

While I am on my feet I want to say to my good friend from Ohio, whom I respect and esteem so highly, that I differ with him about the Senate to-day as it compares with the Senate of that or any other day. I believe that men are as honorable to-day in this body as they have ever been. I believe that if the President had submitted the papers in confidence and the Senate had received them in confidence no Member of this body would have violated that confidence.

Mr. BINGHAM. Mr. President, I submit a resolution adopted at the Eleventh Annual Encampment, Department of Maryland, Veterans of Foreign Wars of the United States, and ask unanimous consent that it may be read at the desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The legislative clerk read as follows:

Resolution adopted at Eleventh Annual Encampment, Department of Maryland, Veterans of Foreign Wars of the United States, Cumberland, Md., June 14-16, 1930

Whereas the United States of America has taken a disadvantageous position in abandoning the 5-5-3 ratio after paying such a great price to obtain it at the Washington conference in 1922; and

Whereas the United States of America has taken a disadvantageous position in having cruisers placed in two categories and accepting a lesser number of 8-inch-gun cruisers than the overwhelming evidence of our leading experienced naval officers says is absolutely essential for our national defense; and

Whereas we are convinced that there are serious loopholes disadvantageous to the United States of America in the recently executed London naval treaty and that the United States of America has made a complete about-face since the Geneva conference by giving up the American doctrine supported by all our Presidents from Washington to Coolidge, that "The primary function of the Navy is the protection of our sea-borne commerce": Therefore be it

Resolved, That, in the opinion of the Department of Maryland, Veterans of Foreign Wars of the United States at its eleventh annual encampment assembled at Cumberland, Md., this 16th day of June, 1930, the Senate of the United States should take ample time to investigate thoroughly the naval treaty of London before ratification thereof: And it is further

Resolved, That a copy of this resolution be spread upon the minutes of this department and that copies be forwarded to each and every United States Senator and to all department commanders of the Veterans of Foreign Wars of the United States and to the adjutant general of the Veterans of Foreign Wars of the United States for action at the annual encampment to be held at Baltimore, Md., August 31-September 5, 1930.

Mr. ODDIE. Mr. President, the London naval treaty as drawn contains serious errors and inconsistencies which, if allowed to remain uncorrected, would weaken our national defense to a material extent, jeopardize our means of protecting our foreign commerce, and lessen our prestige in the eyes of the world by forcing us to a position of inferiority.

Since the beginning of our Government we have maintained a strong naval policy in the interest of peace and in the protection of our foreign commerce. This has upheld our national defense, welfare, and honor, and we dare not now place in jeopardy our national prosperity and progress, which the ratification of this treaty in its present form would do.

This treaty was inspired by the highest patriotic and humanitarian motives. The errors in it are the fault of those who negotiated it. They failed to act on the advice of our best technically trained naval experts, who have been working on this problem for years and who are thoroughly conversant with all its details. The delegates from the foreign governments were past masters in the technicalities involved and heeded the advice of their best naval authorities; thus our delegates were induced to surrender some of the most vital points which we have for years contended for in the interest of our national welfare and defense. This has resulted in provisions in the treaty which would weaken our Navy to a large extent and correspondingly strengthen those of other nations with whom we have been trying to effect a parity. The published hearings on this treaty before the Senate Naval Affairs Committee contain an abundance of testimony in support of this statement.

As a member of the Senate Naval Affairs Committee, I sat through all the hearings on this treaty; I listened to every witness, and commend those hearings to the Members of the Senate who will profit by reading and studying them.

In considering the question of our naval policy and national defense, it is inspiring and helpful to turn back to the days of our forefathers and to study and heed the advice they gave.

George Washington, great patriot, Father of his Country, and President of the United States from 1789 to 1797, uttered these pregnant words on January 8, 1790:

To be prepared for war is one of the most effectual means of preserving peace.

And on December 7, 1796, he said:

To an active external commerce the protection of a naval force is indispensable. To secure respect to a neutral flag requires a naval force organized and ready to vindicate it from insult or aggression. This may even prevent the necessity of going to war by discouraging belligerent powers from committing such violations of the rights of the neutral party as may, first or last, leave no other option.

John Adams, President from March 4, 1797, to March 4, 1801, said on May 16, 1797:

Naval power is the natural defense of the United States.

And on December 8, 1798, he said:

Efficient preparation for war can alone insure peace. Perhaps no country ever experienced more sudden and remarkable advantages from any measure of policy than we have derived from the arming for our maritime protection and defense.

And on November 27, 1800, he said:

A navy, well organized, must constitute the national and efficient defense of this country against all foreign hostility.

Thomas Jefferson, President from March 4, 1801, to March 4, 1809, made this statement on December 16, 1793:

But it is as a resource of defense that our navigation will admit neither neglect nor forbearance. The position and circumstances of the United States leave nothing to fear on their landward and nothing to desire beyond their present rights. But on their seaboard they are open to injury, and they have there, too, a commerce which must be protected.

The carriage of our commodities, if once established in another channel, can not be resumed in the moment we may desire. If we lose the present means of defense, and time will be requisite to raise up others, then disgrace or losses shall bring home to our feelings that error of having abandoned them.

James Madison, President from March 4, 1809, to March 4, 1817, on May 25, 1813, said:

The brilliant achievements of our infant Navy claim the highest praise and the full recompense provided by Congress.

Again on December 5, 1815, he said:

The signal services which have been rendered by our Navy and the capacities it has developed for successful cooperation in the national defense will give to that portion of the public force its full value in the eyes of Congress. To preserve the ships we now have in a sound state, to complete those already contemplated, to provide amply for prompt augmentations, is dictated by the soundest policy.

James Monroe, President from March 4, 1817, to March 4, 1825, on January 30, 1824, said:

Two great objects are therefore to be regarded in the establishment of an adequate naval force: The first to prevent war so far as it may be practicable; the second to diminish its calamities when it may be inevitable. No government will be disposed to violate our rights if it knows we have the means and are prepared and resolved to defend them.

John Quincy Adams, President from March 4, 1825, to March 4, 1829, said on December 6, 1825:

A military marine is the only arm by which our power can be estimated or felt by foreign nations, and the only standing military force which can never be dangerous to our own liberty. A permanent naval peace establishment, adapted to our present condition and adaptable to that gigantic growth with which the Nation is advancing in its career is among the subjects which have already occupied the foresight of the last Congress. Our Navy, commenced upon a scale commensurate with the incipient energies, the scanty resources, and the comparative indigence of our infancy, was even then found adequate to cope with the powers of Barbary and with one of the principal maritime powers of Europe.

At a period of further advancement, but with little accession of strength, it has not only sustained with honor the most unequal of conflicts, but covered itself and our country with unfading glory. But it is only since the close of the late war that, by the numbers and force of the ships of which it was composed, it could deserve the name of navy.

Again, on December 5, 1826, he made this statement:

The gradual increase of the Navy was the principle of which the act of April 20, 1816, was the development. It was the introduction of a system to act upon the character and history of our own country for an indefinite series of ages. It was a declaration of that Congress to their constituents and to posterity that it was the destiny and the duty of the United States to become in regular process of time and by no petty advances a great naval power.

Andrew Jackson, President from March 4, 1829, to March 4, 1837, said on December 8, 1829:

Constituting, as the Navy does, the best standing security of this country against foreign aggression, it claims the especial attention of government, and should continue to be cherished as the offspring of our national experience.

Again, on March 4, 1837, he said:

It is your true policy, for your Navy will not only protect your rich and flourishing commerce in distant seas but will enable you to reach and annoy the enemy, and will give to defense its greatest efficiency by meeting danger at a distance from home. * * * We shall more certainly preserve peace when it is well understood that we are prepared for war.

Martin Van Buren, President from March 4, 1837, to March 4, 1841, on December 3, 1838, made the following statement:

The rapid increase and wide expansion of our commerce, which is every day seeking new avenues of profitable adventure; the absolute necessity of a naval force for its protection precisely in the degree of its extension; a due regard to the national rights and honor; the recollection of its former exploits, and the anticipation of its future triumphs whenever opportunity presents itself, which we may rightly indulge from the experience of the past—all seem to point to the Navy as a most efficient arm of our national defense and a proper object of legislative encouragement.

John Tyler, President from April 4, 1841, to March 4, 1845, said on December 7, 1841:

Every effort will be made to add to the efficiency of the Navy, and I can not too strongly urge upon your liberal appropriations to that branch of the public service. Our extended and otherwise exposed maritime frontier calls for protection, to the furnishing of which an efficient naval force is indispensable. * * * I would most earnestly recommend the increase and prompt equipment of that gallant Navy which has lighted every sea with its victories and spread an imperishable glory over the country.

James K. Polk, President from March 4, 1845, to March 4, 1849, said on December 2, 1845:

Considering an increased naval force, and especially steam vessels, corresponding with our growth and importance as a nation, and proportioned to the increased and increasing naval power of other nations, of vast importance as regards our safety, and the great and growing interests to be protected by it, I recommended the subject to the favorable consideration of Congress.

Zachary Taylor, President from March 4, 1849, to July 10, 1850, said on March 4, 1849:

In reference to the Army and Navy, lately employed with so much distinction on active service, care shall be taken to insure the highest condition of efficiency, and in furtherance of that object the military and naval schools, sustained by the liberality of Congress, shall receive the special attention of the Executive.

Millard Fillmore, President from July 10, 1850, to March 3, 1853, on December 2, 1850, made this statement:

The Navy continues to give protection to our commerce and other national interests in different quarters of the globe.

I invite your attention to the view of our present Naval Establishment and resources presented in the report of the Secretary of the Navy and the suggestion therein made for its improvement, together with the naval policy recommended for the security of our Pacific coast and the protection of our commerce with eastern Asia. Our facilities for a larger participation in the trade of the east, by means of our recent settlements on the shores of the Pacific, are too obvious to be overlooked or disregarded.

Again, on December 2, 1851, he said:

Our naval forces afloat during the past year have been actively and usefully employed in giving protection to our widely extended and increasing commerce and interests in the various quarters of the globe, and our flag has everywhere afforded the security and received the respect inspired by the justice and liberality of our intercourse and the dignity and power of the Nation.

Franklin Pierce, President from March 4, 1853, to March 4, 1857, said on December 4, 1854:

The principles which have controlled our policy in relation to the permanent military force by sea and land are sound and should by no means be disregarded. * * * We should not overlook the present magnitude and prospective extension of our commercial marine, nor fail to give due weight to the fact that besides the 2,000 miles of Atlantic seaboard we have now a Pacific coast stretching from Mexico to the British possession in the north, teeming with wealth and enterprise, and demanding the constant presence of ships of war. The augmentation of the Navy has not kept pace with the duties properly and profitably assigned to it in time of peace, and it is inadequate for the large field of its operations, not merely in the present but still more in the progressively increasing exigencies of the commerce of the United States.

Further, on December 31, 1855, he said:

Important as this addition to our naval force is [construction of six steam frigates], it still remains inadequate for the contingent exigencies of the protection of the extensive seacoast and vast commercial interests of the United States.

James Buchanan, President from March 4, 1857, to March 4, 1861, on December 19, 1859, made this statement:

It affords me much satisfaction to inform you that all our difficulties with the Republic of Paraguay have been satisfactorily adjusted.

In the view that employment of other than peaceful means might become necessary to obtain "just satisfaction" from Paraguay, a strong naval force was concentrated in the waters of La Plata to await contingencies whilst our commissioner ascended the river to Assumption. The Navy Department is entitled to great credit for the promptness, efficiency, and economy with which this expedition was fitted out and conducted.

The appearance of so large a force, fitted out in such a prompt manner, in the far distant waters of the La Plata, and the admirable conduct of the officers and men employed in it have had a happy effect in favor of our country throughout all that remote portion of the world.

Abraham Lincoln, President from March 4, 1861, to April 15, 1865, said on December 8, 1863:

The duties devolving on the naval branch of the service during the year and throughout the whole of this unhappy contest have been discharged with fidelity and eminent success.

The armored vessels in our Navy, completed and in service or which are under contract and approaching completion, are believed to exceed in number those of any other power. But while these may be relied upon for harbor defense and coast service, others of greater strength and capacity will be necessary for cruising purposes and to maintain our rightful position on the ocean. * * *

I commend to your consideration the policy of fostering and training seamen for the naval service.

Andrew Johnson, President from April 16, 1865, to March 4, 1869, said, on December 3, 1866:

Great activity and vigilance have been displayed by all the squadrons and their movements have been judiciously and efficiently arranged in such manner as would best promote American commerce and protect the rights and interests of our countrymen abroad.

U. S. Grant, President from March 4, 1869, to March 4, 1877, on December 5, 1870, said:

* * * It can hardly be wise statesmanship in a government which represents a country with over 5,000 miles of coast line on both oceans, exclusive of Alaska, and containing 40,000,000 of progressive people, with relations of every nature with almost every foreign country, to rest with such inadequate means of enforcing any foreign policy either of protection or redress. Separated by the ocean from the nations of the eastern continent, our Navy is our only means of direct protection to our citizens abroad or for the enforcement of any foreign policy.

Again, on December 2, 1872, he said:

* * * With an energetic, progressive, business people like ours, penetrating and forming business relations with every part of the known world, a Navy strong enough to command the respect of our flag abroad is necessary for the full protection of all their rights.

Further, on December 2, 1873, he said:

The distressing occurrences which have taken place in the waters of the Caribbean Sea, almost on our very seaboard, illustrate most forcibly the necessity always existing that a nation situated like ours should maintain in a state of possible efficiency a navy adequate to its responsibilities. Congress should provide adequately not only for the present preparation but for the future maintenance of our naval force.

Rutherford B. Hayes, President from March 4, 1877, to March 4, 1881, said on December 6, 1880:

I respectfully recommend to your prompt attention such just and efficient measures as may conduce to the development of our foreign commercial exchanges and the building up of our carrying trade.

An additional and not unimportant, although secondary, reason for fostering and enlarging the Navy may be found in the unquestionable service to the expansion of our commerce which would be rendered by the frequent circulation of naval ships in the seas and ports of all quarters of the globe. Ships of the proper construction and equipment to be of the greatest efficiency in case of maritime war might be made constant and active agents in time of peace in the advancement and protection of our foreign trade and in the nurture and discipline of young seamen, who would naturally in some numbers mix with and improve the crews of our merchant ships. Our merchants at home and abroad recognized the value to foreign commerce of an active movement of our naval vessels, and the intelligence and patriotic zeal of our naval officers in promoting every interest of their countrymen is a just subject of national pride.

Chester A. Arthur, President from September 20, 1881, to March 4, 1885, on December 6, 1881, said:

I can not too strongly urge upon you my conviction that every consideration of national safety, economy, and honor imperatively demands a thorough rehabilitation of our Navy. * * * Surely nothing is more essential to the defense of the United States and of all our people than the efficiency of our Navy.

Again, on December 4, 1883, he said:

That our naval strength should be made adequate for the defense of our harbors, the protection of our commercial interests, and the maintenance of our national honor is a proposition from which no patriotic citizen can withhold his consent.

Further, on December 1, 1884, he said:

I can not too strongly urge the duty of restoring our Navy as rapidly as possible to the high state of efficiency which formerly characterized it. As the long peace that has lulled us into a state of fancied security may at any time be disturbed, it is plain that the policy of strengthening this arm of the service is dictated by considerations of wise economy, of just regard for our future tranquillity, and of true appreciation of the dignity and honor of the Republic.

Grover Cleveland, President from March 4, 1885, to March 4, 1889, said, on December 8, 1885:

All must admit the importance of an effective Navy to a Nation like ours. * * * The Nation that can not resist aggression is constantly exposed to it. Its foreign policy is of necessity weak and its negotiations are conducted with disadvantage because it is not in condition to enforce the terms dictated by its sense of right and justice.

Benjamin Harrison, President from March 4, 1889, to March 4, 1893, said, on December 6, 1892:

I earnestly express the hope that the work which has made such noble progress may not now be stayed. The wholesome influence for peace and the increased sense of security which our citizens domiciled in other lands feel when these magnificent ships under the American flag appear is already most gratefully apparent. The United States is again a naval power.

Grover Cleveland, President from March 4, 1893, to March 4, 1897, on December 5, 1894, said:

During the past fiscal year there has been an unusual and pressing demand in many quarters of the world for the presence of vessels to guard American interests.

William McKinley, President from March 4, 1897, to September 14, 1901, said on March 4, 1897:

Commendable progress has been made of late years in the upbuilding of the American Navy, but we must supplement these efforts by providing as a proper consort for it a merchant marine amply sufficient for our own carrying trade to foreign countries. The question is one that appeals both to our business necessities and the patriotic aspirations of a great people.

Again, on December 5, 1899, he said:

The reestablishment of our merchant marine involves in a large measure our continued industrial progress and the extension of our commercial triumphs. I am satisfied the judgment of the country favors the policy of aid to our merchant marine, which will broaden our commerce and markets and upbuild our sea-carrying capacity for the products of agriculture and manufacture, which, with the increase of our Navy, means more work and wages to our countrymen as well as a safeguard to American interests in every part of the world.

The Navy has maintained the spirit and high efficiency which have always characterized that service, and has lost none of the gallantry in heroic action which has signalized its brilliant and glorious past. The Nation has equal pride in its early and later achievements. Its habitual readiness for every emergency has won the confidence and admiration of the country. The people are interested in the continued preparation and prestige of the Navy and will justify liberal appropriations for its maintenance and improvement. The officers have shown peculiar adaptation for the performance of new and delicate duties which our recent war has imposed.

Further, on December 3, 1900, he said:

American vessels during the past three years have carried about 9 per cent of our exports and imports. Foreign ships should carry the least, not the greatest, part of American trade. The remarkable growth of our steel industries, the progress of shipbuilding for the domestic trade, and our steadily maintained expenditures for the Navy have created an opportunity to place the United States in the first rank of commercial maritime powers.

Besides realizing a proper national aspiration this will mean the establishment and healthy growth along all our coasts of a distinctive national industry, expanding the field for a profitable employment of labor and capital. It will increase the transportation facilities and reduce freight charges on the vast volume of products brought from the interior to the seaboard for export, and will strengthen an arm of the national defense upon which the founders of the Government and their successors have relied. In again urging immediate action by the Congress on measures to promote American shipping and foreign trade, I direct attention to the recommendations on the subject in previous messages.

Theodore Roosevelt, President from September 14, 1901, to March 4, 1909, said on December 3, 1901:

The work of upbuilding the Navy must be steadily continued. No one point of our policy, foreign or domestic, is more important than this to the honor and material welfare, and, above all, to the peace of our Nation in the future. Whether we desire it or not, we must henceforth recognize that we have international duties no less than international rights. Even if our flag were hauled down in the Philippines and Porto Rico, even if we decided not to build the Isthmian Canal, we should need a thoroughly trained navy of adequate size, or else be prepared definitely and for all time to abandon the idea that our Nation is among those whose sons go down to the sea in ships. Unless our commerce is always to be carried in foreign bottoms we must have warcraft to protect it. * * *

So far from being in any way a provocation to war, an adequate and highly trained navy is the best guaranty against war, the cheapest and most effective peace insurance. The cost of building and maintaining such a navy represents the very lightest premium for insuring peace which this Nation can possibly pay. * * *

Our people intend to abide by the Monroe doctrine and to insist upon it as the one sure means of securing the peace of the Western Hemisphere. The Navy offers us the only means of making our insistence upon the Monroe doctrine anything but a subject of derision to whatever nation chooses to disregard it. * * *

It is not possible to improvise a navy after war breaks out. The ships must be built and the men trained long in advance. * * * It was forethought and preparation which secured us the overwhelming triumph of 1898. If we fail to show forethought and preparation now there may come a time when disaster will befall us instead of triumph; and should this time come, the fault will rest primarily, not upon those whom the accident of events puts in supreme command at the moment, but upon those who have failed to prepare in advance.

There should be no cessation in the work of completing our Navy. * * *

The American people must either build and maintain an adequate Navy or else make up their minds definitely to accept a secondary position in international affairs, not merely in political but in commercial matters. It has been well said that there is no surer way of courtting national disaster than to be "opulent, aggressive, and unarmed."

On December 2, 1902, he said:

There should be no halt in the work of building up the Navy, providing every year additional fighting craft. * * * We have deliberately made our own certain foreign policies, which demand the possession of a first-class Navy. The Isthmian Canal will greatly

increase the efficiency of our Navy if the Navy is of sufficient size; but if we have an inadequate Navy, then the building of the canal would be merely giving a hostage to any power of superior strength. The Monroe doctrine should be treated as the cardinal feature of American foreign policy; but it would be worse than idle to assert it unless we intended to back it up, and it can be backed up only by a thoroughly good navy. A good navy is not a provocative of war. It is the surest guaranty of peace.

On December 7, 1903, he said:

We can not afford a let-up in this great work. To stand still means to go back. There should be no cessation in adding to the effective units of the fighting strength of the fleet.

On December 4, 1904, he said:

In treating of our foreign policy and of the attitude that this great Nation should assume in the world at large it is absolutely necessary to consider the Army and the Navy, and the Congress, through which the thought of the Nation finds its expression, should keep ever vividly in mind the fundamental fact that it is impossible to treat our foreign policy, whether this policy takes shape in the effort to secure justice for others or justice for ourselves, save as conditioned upon the attitude we are willing to take toward our Army, and especially toward our Navy. * * *

The strong arm of the Government in enforcing respect for its just rights in international matters is the Navy of the United States. I most earnestly recommend that there be no halt in the work of up-building the American Navy. There is no more patriotic duty before us as a people than to keep the Navy adequate to the needs of this country's position. We have undertaken to build the Isthmian Canal. We have undertaken to secure for ourselves our just share in the trade of the Orient. We have undertaken to protect our citizens from improper treatment in foreign lands. We continue steadily on the application of the Monroe doctrine to the Western Hemisphere. Unless our attitude in these and all similar matters is to be a mere boastful sham, we can not afford to abandon our naval program. Our voice is now potent for peace, and is so potent because we are not afraid of war. But our protestations upon behalf of peace would neither receive nor deserve the slightest attention if we were impotent to make them good.

On December 3, 1906, President Roosevelt said:

The United States Navy is the surest guarantor of peace which this country possesses.

On December 3, 1907, he said:

It must be remembered that everything done in the Navy to fit it to do well in time of war must be done in time of peace. * * * Nothing effective can be done for the Navy once war has begun, and the result of the war, if the combatants are otherwise equally matched, will depend upon which power has prepared best in time of peace. The United States Navy is the best guaranty the Nation has that its honor and interest will not be neglected; and, in addition, it offers by far the best insurance for peace that can by human ingenuity be devised.

Again, on April 14, 1908, President Roosevelt said:

I advocate that the United States build a navy commensurate with its powers and its needs, because I feel that such a navy will be the surest guaranty and safeguard of peace. * * *

When a nation is so happily situated as is ours—that is, when it has no reason to fear or to be feared by its land neighbors—the fleet is all the more necessary for the preservation of peace. Great Britain has been saved by its fleet from the necessity of facing one of the two alternatives—of submission to conquest by a foreign power or of itself becoming a great military power. The United States can hope for a permanent career of peace on only one condition, and that is on condition of building and maintaining a first-class navy. * * *

To carry out this policy is but to act in the spirit of George Washington, is but to continue the policies which he outlined when he said, "Observe good faith and justice toward all nations. Cultivate peace and harmony with all. Nothing is more essential than that permanent, inveterate antipathy against particular nations, and passionate attachments for others should be excluded and that in place of them just and amicable feelings toward all should be cultivated.

"I can not recommend to your notice measures for the fulfillment of our duties to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defense and of exacting from them the fulfillment of their duties toward us. The United States ought not to indulge in persuasion that, contrary to the order of human events, they will forever keep at a distance those painful appeals to arms with which the history of every other nation abounds. There is a rank due to the United States among nations which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of

our rising prosperity, it must be known that we are at all times ready for war."

William Howard Taft, President from March 4, 1909, to March 4, 1913, said on March 4, 1909:

A modern navy can not be improvised. It must be built and in existence when the emergency arises which calls for its use and operation. My distinguished predecessor has in many speeches and messages set out with great force and striking language the necessity for maintaining a strong navy commensurate with the coast line, the governmental resources, and the foreign trade of our Nation, and I wish to reiterate all the reasons which he has presented in favor of a policy of maintaining a strong navy as the best conservator of our peace with other nations and the best means of securing respect for the assertion of our rights, the defense of our interests, and the exercise of our influence in international matters.

On December 6, 1912, he said:

The world's history has shown the importance of sea power both for adequate defense and for the support of important and definite policies.

Woodrow Wilson, President from March 4, 1913, to March 4, 1921, said on December 8, 1914:

A powerful navy we have always regarded as our proper and natural means of defense; and it has always been of defense that we thought, never of aggression or of conquest. * * * We shall take leave to be strong upon the seas, in the future as in the past; and there will be no thought of offense or of provocation in that. Our ships are our natural bulwarks.

On November 4, 1915, he said:

Moreover, it has been American policy time out of mind to look to the Navy as the first and chief line of defense. The Navy of the United States is already a very great and efficient force. Not rapidly but slowly, with careful attention, our naval force has been developed until the Navy of the United States stands recognized as one of the most efficient and notable of the modern time. All that is needed in order to bring it to a point of extraordinary force and efficiency as compared with the other navies of the world is that we should hasten our pace in the policy we have long been pursuing, and that chief of all we should have a definite policy of development, not made from year to year but looking well into the future and planning for a definite consummation. We can and should profit in all that we do by the experience and example that have been made obvious to us by the military and naval events of the actual present. * * * Part of our problem is the problem of what I may call the mobilization of the resources of the Nation at the proper time if it should ever be necessary to mobilize them for national defense. We shall study efficiency and adequate equipment as carefully as we shall study the number and size of our ships, and I believe that the plans already in part made public by the Navy Department are plans which the whole Nation can approve with rational enthusiasm.

* * * I would not feel that I was discharging the solemn obligation I owe the country were I not to speak in terms of the deepest solemnity of the urgency and necessity of preparing ourselves to guard and protect the rights and privileges of our people, our sacred heritage of the fathers who struggled to make us an independent nation.

On December 7, 1915, President Wilson said:

There is a very pressing question of trade and shipping involved in this great problem of national adequacy. It is necessary for many weighty reasons of national efficiency and development that we should have a great merchant marine. The great merchant fleet we once used to make us rich, the great body of sturdy sailors who used to carry our flag into every sea, and who were the pride and often the bulwark of the Nation, we have almost driven out of existence by inexcusable neglect and indifference and by a hopelessly blind and provincial policy of so-called economic protection. It is high time we repaired our mistake and resumed our commercial independence on the seas.

On January 31, 1916, he said:

We have been slowly building up a Navy which in quality is second to no navy in the world. The only thing it lacks is quantity. In size it is the fourth navy in the world, though I have heard it said by some gentlemen in this very region that it was the second. In fighting force, though not in quality, it is reckoned by experts to be the fourth in rank in the world; and yet when I go on board those ships and see their equipment and talk with their officers I suspect that they could give an account of themselves which would raise them above the fourth class. * * *

What we are proposing now is not the sudden creation of a navy, for we have a splendid Navy, but the definite working out of a program by which within 5 years we shall bring the Navy to a fighting strength which otherwise might have taken 8 or 10 years, along exactly the same lines of development that have been followed and followed diligently and intelligently for at least a decade past. There is no sudden

panic; there is no sudden change of plan; all that has happened is that we now see that we ought more rapidly and more thoroughly than ever before to do the things which have always been characteristic of America, for she has always been proud of her Navy and has always been addicted to the principle that her citizenship must do the fighting on land.

On February 2, 1916, President Wilson said:

And what is there behind the President of the United States? Well, in the first place, there is a Navy, which, for my part, I am very proud of; a Navy, which for its numbers, ship by ship, man by man, officer by officer, I believe to be the equal of any navy in the world. But look at the great sweep of our coasts. Mind you, this war has engaged all the rest of the world outside of South America and the portion of North America occupied by the United States; and if this flame begins to creep in on us, it may, my fellow citizens, creep in toward both coasts, and here are thousands upon thousands of miles of coast. Do you know that the great sweep from the canal up the coast to Alaska is something like half the circumference of the world? Do you remember the great reaches of sea from the canal up to the St. Lawrence River? Do you know the bays, the inviting harbors, the great cities which cluster upon those coasts? And do you think that a Navy that ranks only fourth in the world in force is enough to defend the coasts and make secure the territory of a great continent like this?

We have been interested in our Navy for a great many years, and we have been slowly building it up to excellent force, but we have done it piecemeal and a little at a time. * * * The force of the Navy now is splendid, and I should expect very great achievements from the fine officers and trained men that constitute it, but it is not big enough; it is not numerous enough; it is incomplete.

On February 3, 1916, he said:

I say "on land," because America apparently has never been jealous of armed men if they are only at sea. America also knows that you can not send volunteers to sea unless you want to send them to the bottom. The modern fighting ship, the modern submarine, every instrument of modern naval warfare must be handled by experts. America has never debated or disputed that proposition, and all that we are asking for now is that a sufficient number of experts and a sufficient number of vessels be at our disposal. The vessels we have are manned by experts. There is not a better service in the world than that of the American Navy. But, no matter how skilled and capable the officers or devoted the men, they must have ships enough, and we are going to give them ships enough. * * * We must lay down a program and then steadfastly carry it out and complete it. * * * Do you realize the task of the Navy? Have you ever let your imagination dwell upon the enormous stretch of coast from the Canal to Alaska, from the Canal to the northern corner of Maine? There is no other navy in the world that has to cover so great an area of defense as the American Navy, and it ought, in my judgment, to be incomparably the most adequate navy in the world.

Warren Gamaliel Harding, President from March 4, 1921, to August 2, 1923, said on July 23, 1923:

* * * It is covenanted, in international honor, that our Navy shall retain that first rank, and any failure at retention must be charged to ourselves, because the world has deliberately acknowledged the righteousness of our first-rank position.

I make this reference because the Navy is our first line of defense. It is the armed shield bearer upon which we depend to ward off the war which we mean in our hearts never to provoke. * * *

We owe it to ourselves to understand that the Navy is rather more than a mere instrumentality of warfare. It is the right arm of the Department of State, seeing to the enforcement of its righteous pronouncements. It guards the security of American citizens wherever they are the world over. One could not fully reverence his flag if he did not feel that its unfolding meant security for Americans wherever they seek its proper protection.

It has our colors afloat to-day almost everywhere on the seven seas—at Smyrna to offer proper restraint and relief; in Chinese waters to make for security; in all waters to urge tranquillity and maintain righteousness; and with it all to emphasize our confidence in ourselves and our sense of obligation at home.

Calvin Coolidge, President from August 3, 1923, to March 4, 1929, said:

Our American Navy has always been much more than an arm of war-time defense. All the money that has ever been spent on the Navy has been returned to the community several times over in direct stimulus to industrial development. We may be very sure that in the future, as in the past, the Navy's services to industry and the arts of peace and science will continue completely to justify its maintenance in the highest efficiency.

Herbert Hoover, our present President, said on September 19, 1929:

Never has there been a President who did not pray that his administration might be one of peace, and that peace should be more assured

for his successor. Yet these men have never hesitated when war became the duty of the Nation. And always in these years the thought of our Presidents has been adequate preparedness for defense as one of assurance of peace. But that preparedness must not exceed the barest necessity for defense, or it becomes a threat of aggression against others, and thus a cause of fear and animosity of the world. Never have we had a President who was either a pacifist or a militarist.

Mr. President, we are a peace-loving people, and have shown ourselves prepared at all times to meet other peoples full half-way on the peace road; but surely we are entitled to a fair consideration for the inalienable rights that should pertain to a nation's sovereignty and should not surrender them at the demand of any nation.

In 1915 and 1916 we saw our rights invaded, the lives of our citizens imperiled, our trade restricted, and other indignities heaped upon us—all of this in a war not our own. We bore it, maybe too meekly, until patience was exhausted. In the latter year, 1916, we finally woke up to Washington's warning, and authorized a navy building program that would have made us invincible on the sea. This program included battleships, battle cruisers, light cruisers carrying 6-inch guns, destroyers, and submarines.

When we finally entered the war all of our shipbuilding facilities were turned to the construction of merchant tonnage and antisubmarine vessels. When the war ended the construction of the battleships, battle cruisers, and light cruisers was started and much work was done.

In 1921 President Harding invited Great Britain, Japan, France, and Italy to join with us in a conference for the reduction and limitation of armaments. The invitation was gladly accepted and the treaty of Washington resulted.

Under the terms of that treaty we scrapped all the battleships building except three, all the battle cruisers except two converted to airplane carriers, but continued the building of the ten 6-inch-gun light cruisers. It should be noted that these 6-inch-gun cruisers were authorized in the same program with battle cruisers, so that the rather sneering reference by some proponents of the treaty to the General Board as inconsistent is baseless.

After the Washington conference the General Board consistently recommended the building of 8-inch cruisers of 10,000 tons, the limit allowed by the treaty, and also recommended as a naval policy, which was approved by President Coolidge and the Secretary of the Navy, that no more 6-inch-gun ships should be built.

Great Britain and Japan began building 8-inch-gun cruisers practically as soon as designs could be made for them, but we did not do so until some time later.

Intensive competition in the building of armaments in all categories except capital ships and aircraft carriers apparently was under way. In order to check such competition President Coolidge early in 1927 issued invitations to the other four signatories of the Washington treaty to join with us in a conference for the further limitation of naval armaments by extending the principles of that treaty to categories of vessels not limited thereby. This invitation was accepted by Great Britain and Japan as participants and by France and Italy as observers.

At the Washington conference Mr. Balfour in his speech in reply to Mr. Hughes's proposals accepted in principle for Great Britain parity with us, but it should be noted that in accepting the figure of 450,000 tons of auxiliary surface craft he referred to the necessity of cruisers for the protection of their long lines of communications. In subsequent explanations of his speech he stated that his original figures for auxiliary surface craft referred to fleet needs and did not include tonnage necessary for commerce protection. A careful study of the records of the Geneva conference will show the same general conception of the kind of parity the British have always had in view, and that is parity in actual fleet combat strength in so far as they could possibly bring parity to that basis. There is no question that the more they can restrict the larger-gun cruiser and increase the ratio of smaller-gun cruiser the more relatively powerful they become in areas not controlled by the actual battle fleet. Due to their bases and preponderant readily convertible merchant tonnage on any basis of equality of tonnage or equality of numbers in 6-inch-gun cruisers, they would be able to bring, on a conservative estimate, at least three or four guns to our one to any point of contact in distant areas through which much of our trade must pass, except in the Caribbean. Great Britain will accept parity with us in actual fleet combat strength so long as we are brought down in types of ships that can challenge her supremacy in distant trade areas.

Mr. President, on Friday some very unfortunate and damaging references were made by the Senator from Pennsylvania to the officers of the Navy who testified before the Senate com-

mittees investigating this treaty. The Senator referred to these admirals in this way:

Perhaps those admirals who see so much of Washington and so little of the sea are entitled to dictate the policy of this Nation in international affairs, or perhaps it is wiser that the control of international affairs should not be vested in them.

Mr. President, that reference to them, as well as the reference made by the Secretary of State, to put it mildly, is most unfortunate. These admirals of our General Board, and others who have appeared before the committees on the request of the chairmen of the committees, are men who should not be talked of in as light and disrespectful a vein. These men have been selected most carefully. I think it is just as well at this point to refer to the manner in which naval officers are selected.

Those of us who are Members of Congress know something of the difficulty of selecting young men for Annapolis who are upstanding and able enough to pass the rigid examinations which are given before a candidate can enter the academy. Often the examinations are conducted publicly. In other cases the selections are made by the Members of the Senate and the House from personal observation, together with a careful consideration of the records of these young men made in schools, and of their characters and their standing in their communities. They are a most carefully selected body of men.

The candidates selected go to Annapolis. They have to go through rigid examinations when they enter. Several times every year they have to pass difficult examinations. They have to go through a course which is most technical, exacting, thorough, and difficult, and which demands the very highest ability, courage, tact, and determination.

After they are graduated they take their places among the junior officers of the Navy. They have to maintain the highest possible standards in order to hold their positions. They are examined frequently and have to make good all the way through by keeping up to the highest standard of efficiency and ability. When they get to be admirals they are a very small proportion of the thousands who entered the academy with them in the first place.

Mr. President, these men have been unfairly treated. They do not deserve such treatment, and the American people will resent it. I will give a brief statement of the records of some of these men who have appeared before our Naval Affairs Committee. The Senator from Pennsylvania said, "They see so much of Washington and so little of the sea." They are as follows:

Admiral Hughes, Rear Admiral Bristol, Rear Admiral Chase, Rear Admiral Hough, Rear Admiral Day, Rear Admiral Pringle, Read Admiral Reeves, Captain Johnson, and Commander Train.

Admiral Hughes has seen 45 years of service in the Navy. Of that he has spent over 26 years actually at sea.

Admiral Bristol has served 46 years in the Navy, and of that time he has spent over 31 years at sea.

Admiral Chase has served 43 years in the Navy and over 23 years at sea.

Admiral Hough has served 42 years in the Navy and over 21 years at sea.

Admiral Day has served 41 years in the Navy and over 25 years at sea.

Admiral Pringle has served 41 years in the Navy and over 21 years at sea.

Admiral Reeves has served 39 years in the Navy and over 21 years at sea.

Captain Johnson has served 34 years in the Navy and over 17 years at sea.

Commander Train, a much younger man, has served 24 years in the Navy and over 12 years at sea.

Mr. President, I think the American people will appreciate the splendid merits and accomplishments of these officers of our Navy and will resent such unfair attacks on them.

For statesmen to criticize our naval officers in this manner is very short-sighted and poor policy, when these men are trained in the arts of statesmanship themselves. Our naval officers have time and again performed outstanding acts of statesmanship which have kept our country out of war and which have preserved respect of our flag and which have contributed materially to our national defense and our national welfare.

I will give a few instances of the diplomacy of our naval officers which I think will be illuminating and will give the American people a renewed confidence in their Navy, which some of the proponents of this treaty are trying to break down.

Governments have crumbled heretofore because of attacks on their officials from within, whose duty it was to maintain their welfare and safety.

In 1902, following one of the revolutions in the West Indies, John Hay, while Secretary of State, made this observation:

I have always felt relieved when a naval officer had arrived on the scene, because he always kept within the situation.

Two years later Mr. Hay had occasion to reiterate this statement. At that time (1904) again commenting on the diplomatic contributions of naval officers he said:

We have had a number of difficult international situations in the West Indies in the past two years, and they have all been handled by naval officers very well. They have not made one single mistake.

We are hearing a great deal these days about the narrow technician's point of view—the limited horizon of the professional warrior, as the Secretary of State characterizes the naval officers. It would seem that great stress is laid upon exact information, scientific fact finding, and expert opinion; we should not elect to disregard the preponderance of expert advice on a matter as vital as that of national defense and our relations with foreign powers.

When condemning, however, our naval officers as narrow-visioned professional warriors, untutored in statecraft and diplomacy, the Secretary of State has totally disregarded our country's history.

It may be a revelation to some of us, but the early diplomatic history of the United States is little more than the collected biographies of our first naval officers.

While every naval officer when abroad is a direct and accredited representative of this Government, of the innumerable instances in which we have benefited by having such a splendid and capable representation only a small number are recorded in international archives.

Yet, when we research historically we find that the foreign policy of the United States has been always sponsored and frequently initiated by the American naval officer. And it may be pertinent to note some of the many occasions in which American diplomacy has been originated and furthered by American seamen.

Many of us will recall that the United States was the first nation to put an end to the exactions of the Barbary pirates. Operations went on for about 15 years. From the birth of the Nation until the close of the eighteenth century we had no navy with which to defend our citizens and our commerce, or with which to compel other nations to respect our rights. During this period we were continually subjected to the humiliating experience of paying tribute to the corsairs in order that our legitimate commercial activities might be continued. From the beginning of the nineteenth century we find that the names of Rodgers, Preble, and Decatur loom large in the historical annals of the Nation—all commodores in our infant Navy.

In 1803 Preble and Rodgers cowed the Emperor of Morocco and forced him to reaffirm the treaty which his father had made with the United States in 1786—a time when America was weak and impotent. Within less than a month, by a proper show of force, these two men had secured an honorable treaty with Morocco without the payment of a cent of tribute. Tripoli continued her depredations for many years after she had signed a treaty waiving all right to tribute. Finally in 1815 Commodore Decatur brought the Dey of Algiers to terms and was cosigner with William Shaler of a treaty which insured, in the words of Willis Fletcher Johnson (*America's Foreign Relations*, Vol. I)—

The abolition of the hateful and humiliating tribute which we had regularly paid down to that time.

John Bassett Moore says of this:

Decatur * * * compelled the Dey on June 30 to agree to a treaty by which it was declared that no tribute, under any name or form whatever, should again be required from the United States. No other nation had ever obtained such terms.

The treaty was renewed in the following year, one of the signers being Commodore Isaac Chauncey in his capacity as commander in chief of the naval forces of the United States in the Mediterranean.

Near the beginning of the nineteenth century, in 1826, Capt. Catesby Jones, of the Navy, negotiated a treaty with the Hawaiian Government on his own initiative and without special instructions. It was an excellent treaty, but the Senate was not as wise as the naval officer and failed to ratify it. Thus the distinction and advantage of being the first nation to enter into treaty relations with Hawaii passed from the United States.

Ten years later, in 1838, Great Britain made and ratified a treaty with Hawaii, followed three years later still by France. Both of these treaties, like that of Catesby Jones, were negotiated by naval officers.

In 1839 Commodore Wilkes, during his famous expedition, entered into an agreement with Samoan chiefs, by which the interests of the natives and the whalers and traders visiting the islands from time to time were provided for. He appointed a consul to represent the United States and took measures to insure amicable relations in the future between the islands and the United States. Moore says that in 1782—

The great chief of the Bay of Pago Pago, in the island of Tutuila, desirous of obtaining the protection of the United States, granted to the Government the exclusive privilege of establishing a naval station in that harbor.

It was Commander Meade of the Navy who obtained this grant, which was the basis of our claim to the islands east of 170° east longitude, in the tripartite treaty with Great Britain and Germany later on.

At the time of the "opium war" between Great Britain and China the United States kept a squadron in the Far East for observation and the protection of American interests. It was under the command of Commodore Kearny, who obtained a heavy indemnity for illegal acts against the persons and property of Americans; but, far more important, he achieved a notable diplomatic coup at the end of the war. Quoting Johnson:

Learning that in the peace treaty new tariff and trade regulations were to be made between China and Great Britain, he resolutely demanded that American citizens should be included, to enjoy the same advantages; in brief, that the "most-favored-nation" principle should be established in their behalf. The Governor of Canton agreed that this should be done, testifying that American merchants in China had not been guilty of smuggling or other illicit practices but had confined themselves to honorable trade. On receiving this assurance Kearny would have taken his departure, but the American consul urged him to stay, as the presence of his vessels would have a salutary effect upon the Chinese commissioners who were coming thither to make the treaty. Kearny accordingly remained, and secured from the commissioners the formal and explicit assurance that whatever trade concessions were made to Great Britain should be fully and equally extended also to the United States. This was done, and as a result an "open door" was first secured in China, for all nations on equal terms; a result which, according to one of the British commissioners who negotiated the treaty, was due to Commodore Kearny's wise and resolute action.

This is a bit of our diplomatic history in which naval officers may take justifiable pride. Mr. Hay gave the phrase, "Open door in China," to the world; but it is seen that the principle was established in 1840 by a wise American naval officer, ably advised by an American consul.

Matthew Calbraith Perry is perhaps our most distinguished exemplar of the naval officer in diplomacy. For over two centuries before his expedition to Japan that country had been maintained in a remarkable state of seclusion. In 1849 Commander Glynn was sent to Japan to demand redress for the ill treatment of some American seamen who had been shipwrecked and were being held as prisoners. He got the prisoners, who told such dire stories of their treatment as to arouse great indignation here. This was a contributing cause to the determination to bring relations with Japan to an issue, which resulted in the choice of Perry, who went out clothed with full credentials from the President and the Secretary of State. His diplomatic quality was thus deliberately conferred and was not the result of accident of service, as had been that of Kearny.

Perry's success in negotiating a treaty was a great feat, of which Johnson says:

Throughout the western world the treaty was hailed as an unsurpassed triumph, and the highest credit was everywhere given to Perry for the diplomatic genius which he had exercised. Nor was the achievement appreciated in Japan less than elsewhere.

Moore's account gives an insight into the methods of Perry which are interesting as an example of the adaptation of means to the end. He says:

His [Perry's] proceedings were characterized by energy and decision. He had, as he said, determined to demand as a right and not to solicit as a favor those acts of courtesy which are due from one civilized nation to another, and to allow none of the petty annoyances that had been unsparingly visited on those who had preceded him. He declined to deliver his credentials to any but an officer of the highest rank. When he was asked to go to Nagasaki, he refused; when ordered to leave the bay, he moved higher up; and he found

that the nearer he approached the imperial city "the more polite and friendly they became."

Two princes were finally detailed to receive Perry's credentials. After delivering them he left Japan for a time in order to give the Japanese an opportunity to consider the treaty arrangements he proposed. Moore continues:

He returned with redoubled forces in February, 1854, and, passing the city of Uraga, anchored not far below Yeddo. The Emperor had appointed commissioners to treat with him, four of whom were princes of the Empire. They desired him to return to Uraga, but he declined to do so. The commissioners then consented to treat at a place opposite the ships. Here the Japanese erected a pavilion, and on March 8 Perry landed in state, with an escort of 500 officers, seamen, and marines, embarked in 27 barges. "With people of forms," said Perry, "it is necessary either to set all ceremony aside, or to out-Herod Herod in assumed personal consequence and ostentation." * * * A treaty was signed on March 31, 1854. American ships were allowed to obtain provisions and coal and other necessary supplies at Simoda and Hakodate, and aid and protection in case of shipwreck were promised. No provision for commercial intercourse was secured, but the privilege was obtained of appointing a consul to reside at Simoda. Such was the first opening of Japan, after two centuries of seclusion.

Perry's achievement was of far more than national significance; it was an epochal event of world-wide importance. If in later days it has brought anxious moments to his country as well as self-satisfaction, it was at the time an unadulterated triumph that shed luster on his own name and on the service to which he belonged.

It was more than a quarter century after China and Japan had emerged from their isolation before Korea entered into treaty relations with the western world. Again the United States led the way, and again a naval officer was the diplomatic agent. Quoting Moore:

Korea, the land of the morning calm, continued, long after the opening of China and Japan, to maintain a rigorous seclusion. Efforts to secure access had invariably ended in disaster. On May 20, 1882, however, Commodore Shufeldt, United States Navy, invested with diplomatic powers, succeeded, with the friendly good offices of Li Hung Chang, in concluding with the Hermit Kingdom the first treaty made by it with a western power. The last great barrier of national nonintercourse was broken down.

The spectacular diplomatic feats of a Kearny or a Perry are not apt to be repeated in our day. The examples that have been sighted thus far are drawn from the days when the world was not girdled with cables, when radio was still undiscovered, fast liners unknown, and airplanes undreamed of—in short, when world communications were crude and primitive. The ease of modern communications makes the most resolute and self-confident man think twice before following, without home advice, a radical course of action that he might have been forced to follow a century ago. It might, therefore, be thought that modern communications stand in the way of an opportunity for present-day naval officers to engage in diplomatic work. That such is not the case a few instances may suffice to show.

In 1905 Rear Admiral Dillingham was intimately connected with the arrangements made with the Dominican Government whereby the collection of customs revenues was done under the direction of an American and the service of the foreign debt was assured. The treaty concluded was not ratified by the Senate, but the President put the arrangement into effect as an interim measure after Congress adjourned and the negotiations served as a model for the treaty two years later which was ratified; and that treaty was, in turn, a model upon which a treaty was concluded later with Haiti. Rear Admiral Sperry was a delegate both to the conference at Geneva for the adaptation of the principles of the Geneva convention to maritime warfare and to the Second Hague Conference. Rear Admiral Stockton was a delegate to the former London conference.

The work done at Constantinople by Rear Admiral Bristol, formerly high commissioner to Turkey and now chairman of the General Board, and who was one of the principal witnesses before the Senate Naval Affairs Committee, was a service of which the Nation no less than the Navy had occasion to feel proud. Going to Constantinople in a strictly naval capacity as detachment commander, the State Department was at first disinclined to give him a diplomatic status. By sheer force of character and by his intelligent grasp of a situation, at once delicate and complicated, he soon established for himself a position so influential that his appointment as high commissioner followed. His conduct of affairs was so successful that for a long while the State Department was loath to replace him and give him the relief from his harassing duties so that he might return to the profession of his choice.

That is the man whom our present Secretary of State would have us believe is a narrow-visioned warrior. He, the Secretary of State, would have us believe that because Admiral Bristol shows the same rectitude and high character in dealing with a committee of the United States Senate as he did for so long in dealing with foreign nations at Constantinople he is trifling with the best interests and destiny of his country. Had he been selected as one of the delegates to London, we would have had a better treaty. He would not have yielded to pressure.

Another recent case of the employment of a naval officer in diplomatic duty was that of Rear Admiral McCully in southern Russia. Again the State Department urgently requested the services of Admiral McCully, who was then on duty with the European command. Admiral McCully, another narrow-visioned warrior, as the Secretary of State would doubtless describe him, was chosen for this responsible position because of his acknowledged unusual acquaintance and sympathy with that great race, the Russian people.

Many other instances abound wherein our naval officers have executed diplomatic feats of rare tact and discernment. It would be needless to go into all those cases where these servants of the country have through their mediating powers exerted a profound influence upon the governments of the turbulent Caribbean nations. On the eve of repudiating those officers who have spent their lives in the service of this Nation the Secretary of State summoned one of them, Capt. A. W. Johnson, formerly director of naval intelligence, to the State Department and commissioned him as a minister plenipotentiary and envoy extraordinary to supervise the approaching elections in Nicaragua.

In sending abroad an entirely civilian delegation the administration assigned as its reason for this step that the contemplated treaty transcended the narrow field of the technician and belonged to the realm of statesmanship. So much emphasis was laid upon this point that in the ensuing press dispatches about consultative pacts and protocols one wondered whether while the statesmen were busy upon the questions of guns, tons, and categories the admiral advisers would be called upon to settle the political issues that loomed ominously at the conference table and still continue to muddle the issue before us. It is hoped that our statesmen will in time become as proficient in the field of naval strategy as our naval officers have been in the realm of diplomacy. But let us bear in mind that if we do not heed the advice of our naval experts that have been educated out of the Public Treasury we may find ourselves blindly following those experts who owe allegiance to a flag other than our own.

If the London treaty then represents the ultimate achievement of American statesmanship, let us return to the American diplomacy of a century ago—to the diplomacy of Decatur, Rodgers, Preble, and Perry.

HISTORICAL INSTANCES OF DIPLOMACY BY NAVAL OFFICERS

Mr. President, I have here a very able article by the late Rear Admiral H. S. Knapp, of the United States Navy, entitled "The Naval Officer in Diplomacy," published in the March, 1927, issue of the United States Naval Institute Proceedings. I ask permission to place it in the Record at this point.

The VICE PRESIDENT. Without objection, it is so ordered. The article is as follows:

THE NAVAL OFFICER IN DIPLOMACY¹

By the late Rear Admiral H. S. Knapp, United States Navy

(EDITOR'S NOTE.—Both the Nicaraguan and Chinese situations are so important and timely that it seems appropriate to print the lecture given at the Naval War College in 1923 by the late Rear Admiral Knapp. His service and experience were such as to cause him to be recognized as an authority on the subject matter under consideration. Admiral Knapp relieved Admiral Sims in London after the armistice and later was appointed by the President as Military Governor of Santo Domingo. The article will be found to deal more with the diplomatic side, as the title indicates, than it does with the handling of international-law situations by naval officers.)

Thanks to Kipling, the characterization of the seaman as "the handy man" has become permanent in literature. Whether or not Kipling intended to restrict the appellation to men below decks, I claim that it applies equally to men who hold commissions, in which I am sure that your president will agree. As his successor in the European command, I take pleasure in saying now, as I always do take pleasure when opportunity occurs to say it in good taste, that no task arose in the trying days of demobilization that was beyond the capacity of naval officers to perform, and to perform well, however far removed from an officer's experience and usual activities. Some of these tasks were inheritances and some arose as time went on. It is a matter of great service pride to me to recall how naval officers all over the southern

and western parts of Europe did things that really pertained to civil administration; and, as I have said, did them well—in some cases with distinguished ability.

What has just been said may appear to be rather wide of the subject, but that would be a mistaken notion. There is something in the training and experience of naval officers that makes for flexibility of mind and the application of hard, common sense to the task in hand, which it was the intention to illustrate by reference to personal observation during my last months of duty before retirement. When an unusual task arises these qualities are immensely valuable. My belief in their existence among naval officers was no new thing, but it was greatly strengthened during my last 18 months of active service.

Now diplomacy is not ordinarily the mission of the naval officer, but if it comes in an officer's way to engage in diplomacy, why should we doubt that his flexibility of mind and common sense, combined with his experience, will enable him to do it successfully? John Bassett Moore, in his *Principles of American Diplomacy*, speaking of American statesmen at the time of the French Revolution, says that they "were not mere doctrinaires. Their aims were practical." It is generally true of naval officers that they are not doctrinaires and that they have practical aims. Diplomacy is statesmanship applied to foreign relations. If practically be a good thing in the equipment of a statesman or diplomat, the practical qualifications of naval officers to which I have referred should be a good foundation for diplomatic work in case of necessity.

It can scarcely be claimed that the life experience of the naval officer is a broadening one in the way of general culture in literary and intellectual pursuits. But it is broadening in the practical matter of international affairs and a knowledge of foreign peoples. As a class naval officers, and especially senior naval officers, are as widely traveled as, and have more contact with foreign officials than, any other class of our citizens; and a somewhat discriminating knowledge of relations with foreign nations is a necessity for the officer who has to justify his reason for existence. Can it be believed that the average experienced senior officer—and only to such would the opportunity be apt to come—is any less fitted for diplomatic action than some citizen (in many instances chosen largely because his fortune is sufficient to bear the expense of representing the Government abroad) whose previous experience in diplomatic life has been no whit greater than the officer's own? It has not been so in the past; it is not so at this moment, and we may confidently assert that it never will be so. While the exercise of diplomatic functions will be a rare experience for naval officers, we, who have an abiding faith in our profession, shall confidently expect that the work will be well done by them if occasion arises.

It will be of interest to note some of the instances in which American naval officers have acted in a diplomatic capacity. You will recall that the United States was the first Nation to put an end to the exactions of the Barbary pirates. Operations went on for about 15 years. In 1801 the Pasha of Tripoli, not content with the \$30,000 tribute—blackmail—then being paid for immunity, cut down the flagstaff of the American consulate and in addition held Americans for ransom. With the consequent naval operations we are not especially concerned here. A treaty was negotiated with him in 1805 by which the prisoners held for ransom were released, tribute thereafter was waived, and respect for American commerce was agreed to for the future; but this did not clear up the situation, for the Algerine pirates continued their depredations. Commodore Decatur brought the Dey of Algiers to terms, and in 1815 was co-signer with William Shaler of a treaty which insured, in the words of Willis Fletcher Johnson (*America's Foreign Relations*, Vol. I), "the abolition of the hateful and humiliating tribute which we had regularly paid down to that time." John Bassett Moore (op. cit.) says of this: "Decatur . . . compelled the Dey on June 30 to agree to a treaty by which it was declared that no tribute, under any name or form whatever, should again be required from the United States. No other nation had ever obtained such terms." The treaty was renewed in the following year, one of the signers being Commodore Isaac Chauncey in his capacity as commander in chief of the naval forces of the United States in the Mediterranean.

At the beginning of the nineteenth century, in 1826, Capt. ap Catesby Jones, of the Navy, negotiated a treaty with the Hawaiian Government on his own initiative and without special instructions. It was an excellent treaty, but the Senate was not as wise as the naval officer and failed to ratify it. Thus the distinction and advantage of being the first nation to enter into treaty relations with Hawaii passed from the United States. Ten years later, in 1836, Great Britain made and ratified a treaty with Hawaii, followed three years later still by France. Both of these treaties, like that of Ap Catesby Jones, were negotiated by naval officers.

In 1839 Commodore Wilkes, during his famous expedition, entered into an agreement with Samoan chiefs by which the interests of the natives and the whalers and traders visiting the islands from time to time were provided for. He appointed a consul to represent the United States and took measures to insure amicable relations in the future between the islands and the United States. (*Encyc. Americana*.) No regular treaty seems, however, to have been made until 1878. Moore says (op. cit.) that in 1782 "the great chief of the Bay or Pago Pago,

¹ United States Naval Institute Proceedings, March, 1927.

in the island of Tutuila, desirous of obtaining the protection of the United States, granted to the Government the exclusive privilege of establishing a naval station in that harbor." From another source I have learned that it was Commander Meade, of the Navy, who obtained this grant (Cath. Encyc.), which was the basis of our claim to the islands east of 170° east longitude in the tripartite treaty with Great Britain and Germany later on.

Our first treaties with an Asiatic power can hardly be claimed to be to the credit of the Navy, although the stamp of the sea was on their negotiator, Edmund Roberts, a sea captain of Portsmouth, N. H., and he was rated as "captain's clerk" on board the naval vessel that took him out, so that we may perhaps claim him as a naval officer "once removed." He certainly did not go in great state, for we read (Moore, op. cit.) that, "if we were to judge by the provision made for his comfort and remuneration, we should infer that little importance was attached to his mission. His pay was barely sufficient to defray the cost of an insurance on his life for the benefit of his numerous children; and for three months he was obliged to lie on the sea-washed gun deck with the crew, all the available space in the cabin being occupied by a chargé d'affaires to Buenos Ayres whose name is now forgotten." Roberts was only partially successful, but he did bring back treaties with Siam and Muscat.

We now come to an incident of great interest in connection with our subject. At the time of the "opium war" between Great Britain and China the United States kept a squadron in the Far East for observation and the protection of American interests. It was under the command of Commodore Kearny, who obtained a heavy indemnity for illegal acts against the persons and property of Americans, but, far more important, he achieved a notable diplomatic coup at the end of the war. Quoting Johnson (op. cit.):

"Learning that in the peace treaty new tariff and trade regulations were to be made between China and Great Britain, he resolutely demanded that American citizens should be included, to enjoy the same advantages; in brief, that the 'most favored nation' principle should be established in their behalf. The Governor of Canton agreed that this should be done, testifying that American merchants in China had not been guilty of smuggling or other illicit practices but had confined themselves to honorable trade. On receiving this assurance Kearny would have taken his departure, but the American consul urged him to stay, as the presence of his vessels would have a salutary effect upon the Chinese commissioners who were coming thither to make the treaty. Kearny accordingly remained, and secured from the commissioners the formal and explicit assurance that whatever trade concessions were made to Great Britain should be fully and equally extended also to the United States. This was done, and as a result an 'open door' was first secured in China, for all nations on equal terms; a result which, according to one of the British commissioners who negotiated the treaty, was due to Commodore Kearny's wise and resolute action."

This is a bit of our diplomatic history in which naval officers may take justifiable pride. Mr. Hay gave the phrase, "open door in China," to the world; but it is seen that the principle was established in 1840 by a wise American naval officer, ably advised by an American consul.

Matthew Calbraith Perry (see Japanese prints of Perry's visit in February and March numbers of Proceedings) is our most distinguished exemplar of the naval officer in diplomacy. For over two centuries before his expedition to Japan that country had been maintained in a remarkable state of seclusion. In 1636 the Shogun Iyemitsu caused all deep-sea shipping to be destroyed and forbade the building of more. Thereafter the Japanese lived strictly to themselves. Toward the end of the eighteenth century the Dutch were permitted the very limited intercourse of not more than one ship a year, and Nagasaki was the only port open to that extent.

The first American vessel to visit Japan was the *Eliza*, under charter to the Dutch, who were at that time, 1797, at war with Great Britain and feared capture of their own vessels on the long voyage to Japan. The Japanese permitted the *Eliza* to fulfill her mission, as did other American vessels on a similar mission during the Napoleonic wars. It was 40 years later, in 1837, that the first serious American attempt was made to establish relations with Japan. It was a private venture and it failed. Eight years later an American shipmaster who had picked up some shipwrecked Japanese thought he might make their return the occasion of a more successful attempt, but he likewise failed. He was told not to do it again, and was informed that the Emperor preferred to have castaways abandoned rather than have strangers enter Japan. In 1846 Commodore Biddle went to Japan with credentials to make a treaty, but made rather a lamentable failure of his mission. In 1849 Commander Glynn was sent to Japan to demand redress for the ill treatment of American seamen who had been shipwrecked and were being held as prisoners. He got the prisoners, who told such dire stories of their treatment as to arouse great indignation here. This was a contributing cause to the determination to bring relations with Japan to an issue, which resulted in the choice of Perry, who went out clothed with full credentials from the President and the Secretary of State. His diplomatic quality was thus deliberately conferred and was not the result of accident of service, as had been that of Kearny.

Perry's success in negotiating a treaty was a great feat, of which Johnson says (op. cit.): "Throughout the western world the treaty was hailed as an unsurpassed triumph, and the highest credit was everywhere given to Perry for the diplomatic genius which he had exercised. Nor was the achievement appreciated in Japan less than elsewhere." Moore's account gives an insight into the methods of Perry which are interesting as an example of the adaptation of means to the end. He says:

"His [Perry's] proceedings were characterized by energy and decision. He had, as he said, determined to demand as a right and not to solicit as a favor those acts of courtesy which are due from one civilized nation to another, and to allow none of the petty annoyances which had been unsparingly visited on those who had preceded him. He declined to deliver his credentials to any but an officer of the highest rank. When he was asked to go to Nagasaki he refused; when ordered to leave the bay he moved higher up; and he found that the nearer he approached the imperial city 'the more polite and friendly they became.'"

Two prizes were finally detailed to receive Perry's credentials. After delivering them he left Japan for a time in order to give the Japanese an opportunity to consider the treaty arrangements he proposed. Moore continues:

"He returned with redoubled forces in February, 1854, and, passing the city of Uraga, anchored not far below Yeddo. The Emperor had appointed commissioners to treat with him, four of whom were princes of the Empire. They desired him to return to Uraga, but he declined to do so. The commissioners then consented to treat at a place opposite the ships. Here the Japanese erected a pavilion, and on March 8 Perry landed in state, with an escort of 500 officers, seamen, and marines, embarked in 27 barges. 'With people of forms,' said Perry, 'it is necessary either to set all ceremony aside or to out-herod Herod in assumed personal consequence and ostentation.' A treaty was signed on March 31, 1854. American ships were allowed to obtain provisions and coal and other necessary supplies at Simoda and Hakodate, and aid and protection in case of shipwreck were promised. No provision for commercial intercourse was secured, but the privilege was obtained of appointing a consul to reside at Simoda. Such was the first opening of Japan after two centuries of seclusion."

Perry's achievement was of far more than national significance; it was an epochal event of world-wide importance. If in later days it has brought anxious moments to his country as well as self-satisfaction, it was at the time an unadulterated triumph that shed luster on his own name and on the service to which he belonged.

It was more than a quarter century after China and Japan had emerged from their isolation before Korea entered into treaty relations with the Western World. Again the United States led the way, and again a naval officer was the diplomatic agent. Quoting Moore (op. cit.):

"Korea, the land of the morning calm, continued, long after the opening of China and Japan, to maintain a rigorous seclusion. Efforts to secure access had invariably ended in disaster. On May 20, 1882, however, Commodore Shufeldt, United States Navy, invested with diplomatic powers, succeeded, with the friendly good offices of Li Hung Chang, in concluding with the Hermit Kingdom the first treaty made by it with a western power. The last great barrier of national non-intercourse was broken down."

The examples thus far instanced have been drawn from days somewhat remote from our own times—days when wind was the motive power or when steam power was in its infancy in the Navy; when the world was not encircled with cables, when radio was still to be discovered; days, in short, when world communications were primitive as compared with those so familiar now. The marvelous change in the facilities of communication that has taken place in a period of time insignificant in comparison with that covering the history of civilization, even modern civilization, has profoundly modified human relationships, international as well as intranational and personal. As diplomacy is concerned with international relationships, this change is one to be taken into account in considering the subject in hand. It undoubtedly tends toward a centralization of authority in the State Department as well as in the Navy Department, which is only another way of saying that its tendency is to diminish initiative and to impose a handicap upon the independence of action of officials.

The ease of modern communication makes the most resolute and self-confident man think twice before adopting a course of action that he would adopt without hesitation if so situated that weeks or months instead of hours would be necessary for consultation with the home government; while the irresolute or self-distrustful man, or one who fears to accept responsibility, has under modern conditions a ready reason for doing nothing until he can be told what to do. It might, therefore, be thought that modern communications stand in the way of an opportunity for present-day naval officers to engage in diplomatic work. That this is not so a few instances may suffice to show. It is not to be expected that the opportunity of a Kearny or a Perry will rise under modern conditions, but there are other ways in which naval officers may still have an opportunity to do useful diplomatic work.

Thus some years ago affairs in China were in a critical stage. The commander in chief was Rear Admiral Murdock, now retired. We heard it said that he was the commanding figure of American influence out

there, if not indeed of the entire foreign influence. In Washington, where I was at the time (1911-12), his reports were the standards of information.

In 1905 Captain (afterwards Rear Admiral) Dillingham was intimately connected with the arrangements made with the Dominican Government whereby the collection of customs revenues was done under the direction of an American and the service of the foreign debt was assured. The treaty concluded was not ratified by the Senate, but the President put the arrangement into effect as an interim measure after Congress adjourned, and it proved a great step toward the stabilization of that turbulent little country, and a relief to both it and the United States from the danger of foreign intervention. It served as a model for the treaty of two years later, which was ratified; and that treaty in turn was a model upon which a still later treaty with Haiti was largely based. It is not too much to say that the action of 1905 marked the beginnings of a policy that has been continuously followed since.

Two officers, each sometime president of this college, have within recent years done distinguished diplomatic duty for the country. Rear Admiral Sperry was a delegate to the conference at Geneva for the adaptation of the principles of the Geneva convention to maritime warfare, and later was a delegate to the second Hague conference; while Rear Admiral Stockton was a delegate to the London conference.

* * * At this moment (1923) two other officers are holding diplomatic positions as high commissioners, of both of whom I am happy to be able to speak from personal observation. At Constantinople Rear Admiral Bristol as high commissioner is doing service of which the Nation no less than the Navy has occasion to be proud. Rear Admiral Bristol first went to Constantinople in a strictly naval capacity as detachment commander, the State Department being apparently disinclined to give him any diplomatic functions. Without adventitious aids he soon established for himself such an influential position by sheer force of character, by his intelligent grasp of the situation (which was and is very complicated), and by his alert and careful guarding of the interests of his country and his countrymen that his appointment as high commissioner followed. Since then his conduct of affairs has been so successful that it is now understood that the State Department is unwilling to have him replaced, and given the relief from his harassing duties which he naturally seeks. [He is still there.] It is a proud record.

Quite recently Brig. Gen. J. H. Russell, of the Marine Corps, was appointed high commissioner to Haiti, and it is a matter of some personal satisfaction to believe that the seed of the idea was sown by me over a year ago. The Navy has a double interest in this latest essay of an officer in the paths of diplomacy. General Russell is of the Navy because the Marine Corps is a part of the Navy, and for the further reason that he is a graduate of the Naval Academy and of the War College. I have personal knowledge of the difficulties with which he must contend, and of his high qualifications for his task. It is too early yet to speak of actual accomplishments, but that he will do everything possible in his difficult situation may confidently be expected.

Another recent case of the employment of a naval officer in diplomatic duty was that of Rear Admiral McCully in southern Russia. The force commander was urgently requested by the State Department to spare Admiral McCully's services from the European command in order that he might be able to undertake the duty. While engaged upon it he reported directly to the State Department as an official under its jurisdiction. It is a source of service satisfaction that Admiral McCully was chosen for his responsible position near Generals Denikin and Wrangel because of his acknowledged unusual acquaintance and sympathy with the Russian people.

Mention must be made of the opportunity that is ever present to a naval attaché to have an influence in diplomatic affairs. From my own limited experience in this kind of duty it is my impression that the weight of an attaché's influence will depend in large measure upon himself and upon his conception of the range of his duties. If he is alert, and his interest is not confined to technical matters but extends to the currents of national thought and effort of the people with whom his lot is temporarily cast, he may have a very considerable weight in the diplomacy of his embassy or legation. Your president has a much wider experience in this particular than I can pretend to have. As his successor in London in 1919, like him, I combined the offices of attaché and force commander, an unusual condition born of the war, under which all attachés in Europe were in a measure subordinate to the attaché in Great Britain. I personally found that naval headquarters in London often had earlier and better information than the embassy, especially from Constantinople and the Adriatic. I was told by General Summerall—he is now, 1927, Chief of Staff, United States Army—the American representative on the Interallied Military Commission that went to Fiume to report upon the unfortunate incident of July, 1919, that he had learned more in his preliminary investigation in Paris from Admiral Andrews's dispatches to me than from all other sources combined, including the French Foreign Office. This was high praise. It will not probably often happen that a naval attaché will have acknowledged credit for diplomatic influence, but I firmly believe that he is in a position to have the reality. In published correspondence dating just before the war I have read dispatches from military and

naval attachés of noteworthy diplomatic importance, aside from their military and naval information value.

My reference to Admiral Andrews leads me to speak of the exercise of diplomatic ability in the course of a purely naval command, because that point was so well illustrated by him while in command of the Adriatic detachment. I say no more here than I have repeatedly said elsewhere in expressing my conviction that he kept the peace in that sea. * * * By tact and persuasion, combined with firmness and exact justice, through weary months he prevented the tension between Italians and the Yugoslavians in his vicinity from breaking out into open conflict. Surely this was a display of diplomatic qualities of a high order, to which I am the more glad to testify here because they do not seem to have had elsewhere the recognition that they deserve.

Sufficient examples have been instanced to show how naval officers have been and now are of diplomatic service to the Government. I shall now permit myself some reflections more or less closely connected with the subject under consideration.

It may seem a strange assertion to make in the light of all the post-war conflicts of interest that are so apparent, but I believe that there is a distinct advance in the general attitude of nations as regards foreign relations, one toward the golden rule as a governing condition of international conduct. That goal is still far distant, but there has been progress toward it. Let me give you one instance. In September, 1899, when Secretary Hay approached the Governments of Germany, Great Britain, and Russia with a view to their making "formal declaration of an 'open-door' policy in the territories held by them in China," to quote Mr. Hay's own words, and later approached the Governments of France, Italy, and Japan in the same sense, an essential feature of his instructions to our ambassadors and ministers was a recognition of "spheres of influence" on a parity with leased territories. There was no hint that spheres of influence per se were undesirable; they were accepted as an existing condition. In the intervening 22 years between then and the Washington conference the conscience of the world had been awakened, and Article III of the 9-power treaty relating to principles and policies to be followed in matters relating to China, puts an end to "spheres of influence," a fact that has had surprisingly little notice. The following was quoted from the report of Mr. Balfour's remarks in committee while this subject was under consideration:

"The British Empire delegation understood that there was no representative of any power around the table who thought that the old practice of 'spheres of influence' was either advocated by any government or would be tolerable to this conference. So far as the British Government was concerned, they had, in the most formal manner, publicly announced that they regarded this practice as utterly inappropriate to the existing situation. * * * The words 'general superiority of rights with respect to commercial or economic development in any designated region' were words happily designed, as he thought, to describe the system of spheres of influence; and the repudiation of that system was as clear and unmistakable as could possibly be desired."

This 9-power treaty is a new bill of rights for China as well as a formal engagement of the contracting powers among themselves. It marks a great advance over the attitude of only 22 years before, and a still greater advance over that of Commodore Kearny, who sought only for his own country equality of rights with Great Britain in China, with no apparent solicitude for any rights of China herself. A similar advance in international ethics may be seen in other directions, often disguised and perhaps with its inspiration in enlightened self-interest as well as moral principle; but I believe that the latter motive is increasingly operative, following the enlightenment of the group conscience of civilized peoples.

My own faith in this matter would not, however, lead me to relax one iota of vigilance if diplomatic duty came my way; for there are still plenty of statesmen and diplomats whose interpretation of the golden rule in international dealings is more in accord with David Hume's statement of it than with that of the Scriptures; but if my faith is justified as a general conclusion, then that conclusion must be reckoned with in statesmanship and diplomacy. This is especially true for Americans, and for naval officers as representative Americans, because the United States has been throughout all its history a torch bearer in international ethics.

The last remark suggests another thought; naval officers should have a thorough knowledge of our own history and traditions, and keep themselves informed to the minute of the evolution of our national policies. It was remarked at the beginning that diplomacy is not the mission of a naval officer; but it may become a mission, and a vitally important one. In the light of that possibility officers should have some thought of preparing themselves for the eventuality, should it come, and especially officers who have attained the higher ranks. Surely there can be no more fundamental preparation than a knowledge of our own history and traditions, our institutions, our outlook upon the world, our time-honored policies, and evolution leading to a modification of the national viewpoint. The statement needs no elaboration to prove its truth.

Another preparation, important to a less degree only, is a knowledge of foreign nations. The ignorance of and indifference to international

affairs of the generality of Americans is as lamentable as it is noteworthy. As a people we have looked in and not out; our attitude toward the world has been parochial. Too many of our people think we can deal with Latins as we do with Anglo-Saxons, with Turks as with Slavs, with Asiatics as with Europeans, or with any of these as we deal among ourselves. Too few appreciate how the people of all nations are becoming more and more citizens of the world, fellow citizens, and that the United States can not, if she would, continue to live the life of a snail. The late war has done much to correct this fault, and it is a happy sign that agencies like the Institute of Politics at Williamstown, and courses in international relations in many colleges, have been established in our country; but much virgin ground remains yet to be broken in the intellectual soil of the United States before there can be any expectation of broad general comprehension of our relationship to the rest of the world.

Elmer Davis, one of the editorial staff of the New York Times, a man well qualified to speak, has something to say in this connection in a paper on American Influences in Eastern Europe, read before the last annual meeting of the American Academy of Political and Social Science and published in the July (1922) Annals. He says:

"Any active, prolonged, and effective influence of America on European politics or rather on the complicated political-economic international relations of to-day, postulates an American public opinion informed on, and interested in, world affairs. Such an opinion does not exist outside of very limited circles. No doubt it is growing, but very slowly. Even when it flashes up unexpectedly under the pressure of immediate economic need, as in the resolution of last winter's agricultural conference in favor of participation in the Genoa meeting, it is apt to be poorly informed and misdirected. For nearly a quarter of a century America has had territorial interests in the Far East; wars in the Philippines, in China, and Manchuria have attracted American interest; our diplomacy has in that field, as in hardly any other, had a continuing and consistent policy. Since 1898, in other words, we have had materials for the formation of a public opinion on Asiatic problems such as we have had for European questions only since 1918. Yet the Washington conference, and the discussion of the treaties which followed it, showed that even on Asiatic affairs our public opinion was comparatively feeble and uneducated. To expect any general intelligent interest in European affairs for many years is rather visionary."

Ignorance of foreign affairs may seem to be a straw man raised to be knocked down when I say that I do not believe that this reproach may be laid at the door of naval officers. My point is that they should shine in this respect by comparison with the great majority of their countrymen on the same plane of education and social station; and specifically that they must keep abreast of our foreign relations and have a knowledge of foreign nations—of their institutions, their policies, and as far as may be of their psychology—to fit themselves for diplomatic duty (the example of Perry in Japan is an instance of adapting methods of psychology). Naval officers have unusual opportunities so to fit themselves, and have little excuse for failure to do so.

I take occasion here to say that opportunity is not synonymous with experience in the sense in which the latter word has been used heretofore in this lecture. In that sense experience is the stored-up knowledge that comes from reflection upon the conditions and events that opportunity has brought to our notice. Reflection upon what we have seen or had a part in is a necessary factor of experience that is to be of value in the future. A much respected brother officer said to me many years ago: "Most people hate to think." The statement may be exaggerated, but the underlying idea is true enough. Thinking, reflection, about the matters that opportunity brings to our notice transmutes our observation into real experience that fits us for future occasions. This is as true in the international field as in the naval, in diplomacy as in fleet evolutions.

The place of knowledge of international law in preparation for diplomacy is so obvious that it need only be mentioned. There is one phase of international law that has, however, so much importance in connection with our subject as to be worthy of a few words. I refer to treaties, which do not, perhaps, have all the attention from officers that they deserve. A reference to The Instruction for the Guidance of Officers in Maritime Warfare will show how necessary is it to be familiar with treaties in the pursuit of strictly naval duties. In a wider sense our treaties are an epitome of our history and of the evolution of our policies. They show what diplomacy has had in mind in the past. They cover the widest range of subjects that are of interest to us as a nation. They do not cover all, as witness the "gentleman's agreement" with Japan; but, generally speaking, they are crystallized diplomacy. Our immediate concern as naval officers is naturally with treaties now operative, to be found in Treaties in Force and its supplements. As a historical and diplomatic study, however, treaties to which we have been parties but which are not now in force have also a value, and Malloy's two volumes are well worth an occasional hour. Nor need interest be confined to our own treaties. In the past few months I have spent considerable time to my advantage in browsing through

MacMurray's two thick volumes entitled "Treaties and Agreements With and Concerning China."

Every treaty is an international contract whose negotiators perform an act of high diplomatic significance. It is natural to expect that naval officers will rarely be plenipotentiaries for the negotiation of treaties, but they have been in the past and they may be in the future. In ordinary service their observations and reports may well serve to keep the Government informed about matters that are likely to become the groundwork of treaties. One such matter is trade, which, in the broad meaning of the word, more than any other one thing forms the subject matter of treaties. By the word "trade" I mean to include broadly all the agencies for world exchanges, such as banking, transportation, and communications, as well as the material things exchanged. We are here in the domain of finance and economics. Now, trade in this broad sense, including finance and economics, is a matter into which our professional education does not enter. Yet it lies at the very root of international relations; it is the constant preoccupation of diplomats and governments; perhaps it is not too much to say that on no other one thing does the balance between peace and war so vitally depend. Economic disputes soon become political, and in my opinion no greater nonsense has been uttered of late than the attempt to differentiate between economic and political predominance, of which we have heard not a little within the past few months.

It would be going far to advise officers to make a deep study of finance, economics, and the laws of trade in order to prepare for a very improbable chance to employ such knowledge in diplomatic duty. But every intelligent citizen should have some knowledge of these subjects, and we hold ourselves as being in the intelligent class. The knowledge can do no harm, even if it only serves to give a broader and more understanding outlook on the world.

Although somewhat removed from the immediate subject of the lecture, you will perhaps pardon reference to a personal experience that opened my eyes to the advantages of knowledge not confined to strictly naval limitations. When it fell to me to become military governor of Santo Domingo, events so shaped themselves that the entire executive and legislative functions of government rested in my hands. My problems were principally those of civil administration and civil policy. If I had known more about finance and economics I should have been spared many anxious hours. Often and often I wished that my leisure hours in previous years had been less filled with novels and more with what would have been of inestimable value in fitting me for my responsibilities for the welfare of a nation of nearly a million people.

It may seem to you that undue stress has been laid upon a phase of the work of naval officers that is not usual—one that may never come to any of you; that there has been a lack of proportion in its presentation. That may, indeed, be true, for the temptation is great to let one's subject loom large in the preparation of a lecture, but if true it is not by intention; for I think that the naval mission in the life of the naval officer is his all-important mission—that, however successful in endeavor outside of strictly naval lines, if he falls of complete success within them he falls short of the professional goal. I hope you will agree with me, upon reflection, that, with the exception of trade, the other high points mentioned in self-preparation for diplomatic work are all more or less essential features of a naval officer's mental and intellectual equipment—a knowledge of our own history, traditions, and policies, and of those of other nations; the necessity to apply thought to opportunity and observation in order to crystallize them into useful experience, and a knowledge of international law and treaties. That these are useful and requisite in diplomatic work simply adds to them another interest; it does not mean that naval officers must go into broad and unknown fields of attainment in order to prepare for a possible chance of usefulness that probably never will arise. Of trade, even, I am sure none in this audience would take pride in asserting entire ignorance.

During the preparation of this lecture the thought has arisen time and again that the officers and men of the Navy are in a very real sense doing diplomatic work daily in so far as they meet foreigners—doing it well or ill as they represent well or ill American standards. Any American abroad is representative in a sense; naval officers and enlisted men, too, are official representatives in a way they can not escape if they would. The diplomacy they exercise in routine daily life will be unconscious. It will not be in the way of outstanding incidents, nor recorded in international archives, but each act touching a foreigner will be an infinitesimal element of the sum total of our foreign relations, as the individual drops of water make the ocean. In all probability it will be given to none of us to be a Foch of diplomacy, but we may all give daily and worthy service as privates. Perhaps this may seem a trivial conclusion to a subject of some weight; my excuse is the persistent recurrence of the thought in my mind.

THE LONDON NAVAL TREATY

MR. ODDIE. Mr. President, the able chairman of the Naval Affairs Committee [Mr. HALE] has fully informed the Senate concerning the technical disqualifications of the London naval treaty in safeguarding American interests in his very able ad-

dress in the Senate on July 11, 1930. I fully concur in his statements and conclusions regarding this treaty, but will not go into details regarding the technical points involved now. I desire to emphasize certain features of the treaty with reference to its adverse effects on the foreign commerce of the United States, on the development of the American merchant marine, and on the national defense.

The American merchant marine engaged in foreign trade in having to meet the competition of foreign countries has always been a perplexing problem. The shipping industry has undergone more serious crises than probably any other industry in the history of the country. With the tremendous expansion in our foreign trade and its multiplying ramifications, the merchant marine has never been so complex a problem. Furthermore, the importance of a merchant marine as a factor in winning trade and for national defense has been so great that foreign countries have made, and will continue to make, greater concessions to ship operators than would be justified if the shipping industry alone were to be considered. For these reasons the United States must now meet the keenest and most strongly entrenched foreign competition that has ever existed and on a scale far greater than ever before.

In our efforts to develop an adequate merchant marine foreign opposition has become increasingly strong, and the London treaty in itself a severe blow to the development of the merchant marine, is evidence of this strongly entrenched foreign opposition.

To solve permanently the shipping problem now confronting the Nation will demand the strongest united effort accorded a national enterprise. The prestige, prosperity, and security of the Nation depend upon an adequate and permanent merchant marine, and to maintain such a merchant marine will demand adequate naval protection.

In 1907, when the United States Navy made its world-wide cruise, foreign ships had to be employed as a convoy to supply coal, hospital facilities, and other essentials—a most humiliating spectacle from the American viewpoint—and the prestige of the Nation suffered. Later, in 1917, we were compelled to charter foreign ships in which to transport men and supplies to France, and during the period 1915–1921 the American wheat and cotton producers alone were compelled to pay to foreign shipping interests a more than normal, or excessive, cost for ocean freight, amounting to \$1,000,000,000. The Nation has never been subjected to a more embarrassing or costly experience.

Before the Great War began in 1914 the expansion of the mining, agricultural, lumber, and manufacturing industries which had been going on rapidly developed an increasing need for the foreign marketing of surpluses, and with the large increase in population came also an ever-increasing demand for living necessities and other materials not produced in this country. Industrial leaders were beginning to weigh the importance of an American merchant marine in foreign trade when the commencement of hostilities, involving heavy risks to shipping, accentuated our deplorable lack of merchant-ship tonnage.

The shipping act of 1916, providing for the construction of vessels, and the large appropriations made available were evidences of the seriousness with which the shipping situation was regarded. Ship-mindedness which had been dormant for half a century was revived, and due to the heavy war losses in world ship tonnage and the great need for it after the armistice developed rapidly, until in 1920 the merchant marine act was passed providing for the operation of war-built ships in foreign trade.

The Maritime Mandate of the American People is well stated in section 1 of the merchant marine act of 1920, as follows:

Be it enacted, etc., That it is necessary for the national defense and for the proper growth of its foreign and domestic commerce that the United States shall have a merchant marine of the best equipped and most suitable types of vessels sufficient to carry the greater portion of its commerce and serve as a naval or military auxiliary in time of war or national emergency, ultimately to be owned and operated privately by citizens of the United States; and it is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine, and, in so far as may not be inconsistent with the express provisions of this act, the United States Shipping Board shall, in the disposition of vessels and shipping property as hereinafter provided, in the making of rules and regulations, and in the administration of the shipping laws keep always in view this purpose and object as the primary end to be obtained.

No stronger declaration of policy could have been adopted, and consequently this section was duplicated in the merchant marine act of 1928.

DEPENDENCY OF AMERICA ON FOREIGN WAR ESSENTIALS

In the recent book entitled "Dependent America," by William C. Redfield, formerly Secretary of Commerce, a carefully prepared review of war-essential imports is presented on pages 208 to 210, from which the following is quoted:

• • • There were about 200 commodities respecting which our situation was at some time critical during the World War. Having learned our lesson in the severe school of experience, regular officers have been assigned since the armistice to study the production and mobilization of these necessary commodities, and they are assisted by trade associations and technical societies and by civilians who are especially well informed. This study has included not only the mechanical and chemical means of production and the factor of transportation but also the resources whence must come the materials for manufacture. One lesson gained from these inquiries is admitted to be "that the United States is not inexhaustible in its resources." Allied to this—a vital part of it, indeed—is the problem which exists respecting 30 specific materials which are called strategic because they are essential to the prosecution of war and because we either do not produce them at all or can supply them only in quantities which are insufficient even for peace-time requirements.¹ The list of these strategic materials follow: Antimony, camphor, chromium, coffee, cork, graphite, hemp, hides, iodine, jute, flaxseed, manganese, manila fiber, mica, nickel, nuxvomica, opium, platinum, potassium salts, quicksilver, quinine, rubber, shellac, silk, sodium nitrate, sugar, tin, tungsten, vanadium, wool.

I should say, Mr. President, that since this article was written important developments have been made in our economic system and in our laws which have encouraged and stimulated the production of some of these commodities to quite a large extent. The article from which I was quoting continues:

It would be well if every American citizen could carefully read this list and consider calmly the facts that lie behind it. It is not a mere estimate with a more or less doubtful personal equation. It is, on the contrary, a carefully prepared official statement with the experience and the authority of the War Department in support. It arose out of the strenuous effort to equip our forces during the World War. There is no nonsense about it; it deals with stern realities. We need every one of these items in peace; some of them we do not and can not produce at all and of none is our supply sufficient even in these peaceful days. The coming of war, even the coming of those preliminary conditions which might seem likely to eventuate in war, would bring a demand for them which the resources of this country are unable to meet. Here is no screaming eagle, no illusion. Here instead is the plain fact of dependence upon other countries.

Mr. President, not only is the United States dependent upon foreign sources for war-essential supplies, but in time of war she would necessarily have to provide American-flag ships in order to insure their delivery to this country.

In a defensive war it should be pointed out that the Nation would become more dependent upon its merchant marine for the delivery of its imports than exports, for the reason that foreign nations might be compelled to risk their own vessels in obtaining necessary commodities produced in this country, but would be less justified in assuming the same risk in running a blockade to deliver our imports. Should some of the principal maritime nations become engaged in a war in which this Nation would not be involved, the activities of their merchant marines would be confined to their war-time needs without regard to the requirements of either our export or import trade. It is generally recognized that the last Great War would have been terminated at a much earlier date if the United States had had at the outset a strong merchant marine, thereby saving a very large proportion of war expense in life and material. With the experience of the Great War so vividly in mind, it should not be necessary further to emphasize the importance of a strong American merchant marine to national security, and the larger the American merchant marine becomes, the need for adequate naval protection is correspondingly increased.

Under the provisions of the merchant marine act of 1928 a large number of naval vessels of heavy tonnage and of high speed are being constructed in American shipyards for registry as American-flag ships. When these vessels are launched they will constitute a large addition to the American merchant marine.

Through the construction loan fund provided for in the merchant marine act of 1928, the Government has advanced 75 per cent of the cost of these vessels to be repaid over an extended period. Any failure on the part of the Government to maintain a naval policy which would adequately protect the American

¹ Cf. address of Col. Harley B. Ferguson, Corps of Engineers, United States Army, on Some Problems of Procurement before the general service schools at Fort Leavenworth, Kans., January, 1924.

merchant marine in time of foreign wars would not only subject owners of American-flag ships to extraordinary risks of loss but would also subject the Government's investment in these new ships to the same risk of loss.

While it is only natural that Great Britain should desire, under the acute competitive trade conditions which exist at the present time, to handicap the development and maintenance of the American merchant marine in every respect, that country should not be permitted through a naval treaty to lessen the ability and power of the United States through its Navy to render adequate protection to the American merchant marine under all contingencies that might arise.

One of the most careful and able students of our foreign commerce, merchant marine, and Navy is Henry Cabot Lodge, grandson of the great statesman, the late Senator Lodge, of Massachusetts. No stronger supporter of an adequate merchant marine and Navy for the United States ever addressed this body than Senator Lodge, and would that he might be here now to analyze and expose the national disadvantages of the London naval treaty in its present form. His grandson and namesake has inherited Senator Lodge's love for the sea and interest in maritime affairs, and from his excellent article, entitled "The Power of the United States Fleet," and published in *Fortune Magazine*, June, 1930, I will quote extensively, as follows:

THE POWER OF THE UNITED STATES FLEET

By Henry Cabot Lodge

If the broad justifications of the Navy are sufficiently obvious, it is certainly true that the degree of the Navy's importance at the present time is still only imperfectly understood. Many a reader of *Fortune* went to school at a time when the United States was, in the large sense, an agricultural country. We were taught that the United States fed itself and had an agricultural surplus which it sent abroad. Manufactures, of course, there were, but their production fell far short of domestic requirements and had to be supplemented by imports. That relationship is now reversed, for one of the disturbing as well as one of the stimulating facts about the United States is that it changes more rapidly in even its very fundamentals than does any other country of similar size.

So it is that if we were going to school to-day and were being properly taught we would see that the United States is a country producing more than it consumes, but requiring constantly increasing imports of both crude materials and foodstuffs. We would learn that one-quarter of our essential raw material imports come from within a 1,000-mile radius of Singapore, which itself is 12,000 standard miles from New York, that the United States to-day imports more foodstuffs than it exports, that its food exports are little more than twice those of the British Isles, and that its total imports are more than four-fifths of its exports. The simple and wholesome traditions of our early republicanism are still so strong that many Americans do not realize the potency of their own country. They would undoubtedly find it hard to believe that the economic productivity of the United States about equals that of all the nations of Europe west of Russia or that of all other parts of the world lumped together. Having read schoolbooks wherein the primacy and might of Great Britain always loomed as a permanent and unshakable fact, they would be most interested to learn that the external trade of the United States is as world-wide and as great as that of any other single country and that our exports are greater than those of any one nation and may be said to support, directly or indirectly, one-tenth of our population.

In this connection the following figures on the trade of the United States and the United Kingdom are of paramount importance:

Foreign trade, 1929	
United States	\$2,224,000,000
United Kingdom	4,271,000,000
Foreign trade, 1928	
United States	9,220,000,000
United Kingdom	9,972,000,000

The United Kingdom figures include trade within the empire, but the American figures do not include all of our sea-borne commerce, which, of course, is as vital an element in our maritime problem as our purely foreign trade.

In a campaign speech in Boston, October 16, 1928, Herbert Hoover said:

"We might survive as a nation, though on a lower living standard and wages, if we have to suppress the 9 or 10 per cent of our total production now sold abroad. But our whole standard of life would be paralyzed and much of the joy of living destroyed if we were denied sufficient imports. . . .

"If this happens, we must stagnate and degenerate in civilization. . . . We could not run an automobile, we could not operate a dynamo, or use a telephone were we without imported raw materials from the Tropics. . . . To-day we are the largest importers and the second largest exporters of goods in the world. . . . Our total volume of export translates itself into employment for 2,400,000 families. . . . And in addition to this millions more families find employment in the manufacture of imported raw materials."

As has just been said, the true test of naval need is not only foreign trade but external trade, which in the case of the United States includes not only foreign trade but that with Alaska, Hawaii, and Porto Rico. In 1929 this United States external trade was \$10,076,000,000. In the same year the external trade of the United Kingdom was \$10,916,000,000. Deducting the inland trade of the United States proper with Canada and Mexico, our total external sea-borne trade amounts to about \$8,500,000,000, to which should be added some \$5,000,000,000 of coastwise and intercoastal trade, making our total sea-borne traffic approximately \$14,100,000,000.

Two charts showing the American-flag services in foreign and noncontiguous trades of July 1, 1914, and 1929, respectively, and illustrating the Lodge article, were published in *Fortune Magazine*, June, 1930, and I now present them for publication in the *Record* at this point.

THE VICE PRESIDENT. Without objection, it is so ordered. (The charts referred to appear on pages 142 and 143.)

Mr. ODDIE. Mr. Lodge continues:

These charts represent the dramatic increase in the American merchant marine between 1914 and 1929; they can not, of course, represent all the curious reversals in the tides of commerce in the last century. It is, for instance, of note that before the Civil War some 75 per cent of our trade sailed under the American flag, and equally significant that after the Civil War, with the development of Britain's coal and iron, our shipping lagged until, in 1910, it carried but 10 per cent of all American goods. Three things helped to spur our building again—the war, the Panama Canal, and the realization of our own coal and iron resources. The artificial postwar peak of 1922 has also been disregarded; the second chart shows only the result of a 15-year swing, which has now reached a point at which more than one-third of our commerce is carried in American ships. In figures this proportion is expressed as follows:

Foreign ships	\$5,187,931,000
United States ships	2,502,512,000
Overland	1,201,934,000
Parcel post	139,167,000

These are facts underlying our economic structure. Having conquered our continent, the United States is back again in the position it held in the 1830's and at the time of the Revolution, a position in which her future and her opportunity lay on the sea. Moreover, the time may well be approaching when we may say of ourselves what Lord Fisher once said of Great Britain—that our frontiers are the coast lines of the enemy.

It is thus a safe guess that if the United States had been born 50 years ago, when men's minds were intent on the development of the land, we should to-day have no fixed policies or traditions wherewith to guide the attitude of the Government toward foreign trade. But because the sea at previous times in our history has been an indispensable channel of prosperity, we find ourselves to-day with naval traditions and policies sanctified by custom, most of which are well tested by time.

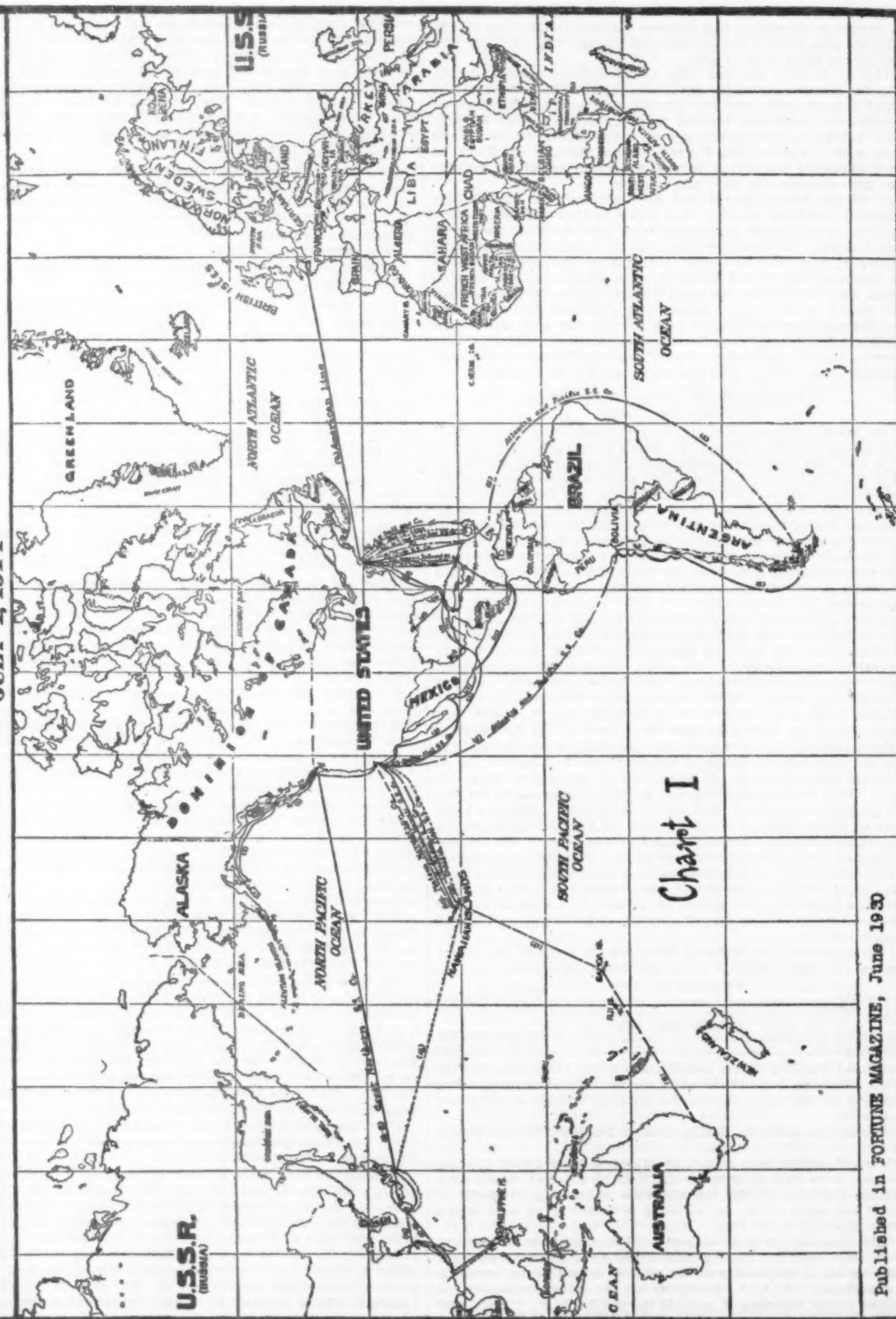
Where business is immediately concerned the policies are three in number: First, the maintenance of the "open door" in foreign commerce, so that Americans may trade on an equal footing with other foreigners abroad. This policy, repeatedly reasserted even in the last 10 years, has saved China from dismemberment. Second, protection of American citizens abroad engaged in lawful business for the promotion of commerce. In support of the responsibilities entailed by this policy we built the U. S. S. *Constitution* and her sister frigates, fought the French in 1798, the Barbary pirates intermittently from 1801 to 1816, the British from 1812 to 1815, and the Germans in 1917 officially because of their interference with our rights on the seas.

The third major policy exists to prevent the establishment of European colonies or spheres of influence by European powers in the Western Hemisphere; in other words, the Monroe doctrine. In this connection it is worth recalling that the late President Roosevelt had to tell the German ambassador that if the Kaiser persisted in his actions toward Venezuela he would order the American fleet into the Caribbean; and as is well known many of our temporary interventions in Central American affairs have been, incidentally, to prevent other powers from using intervention as a way to secure a foothold.

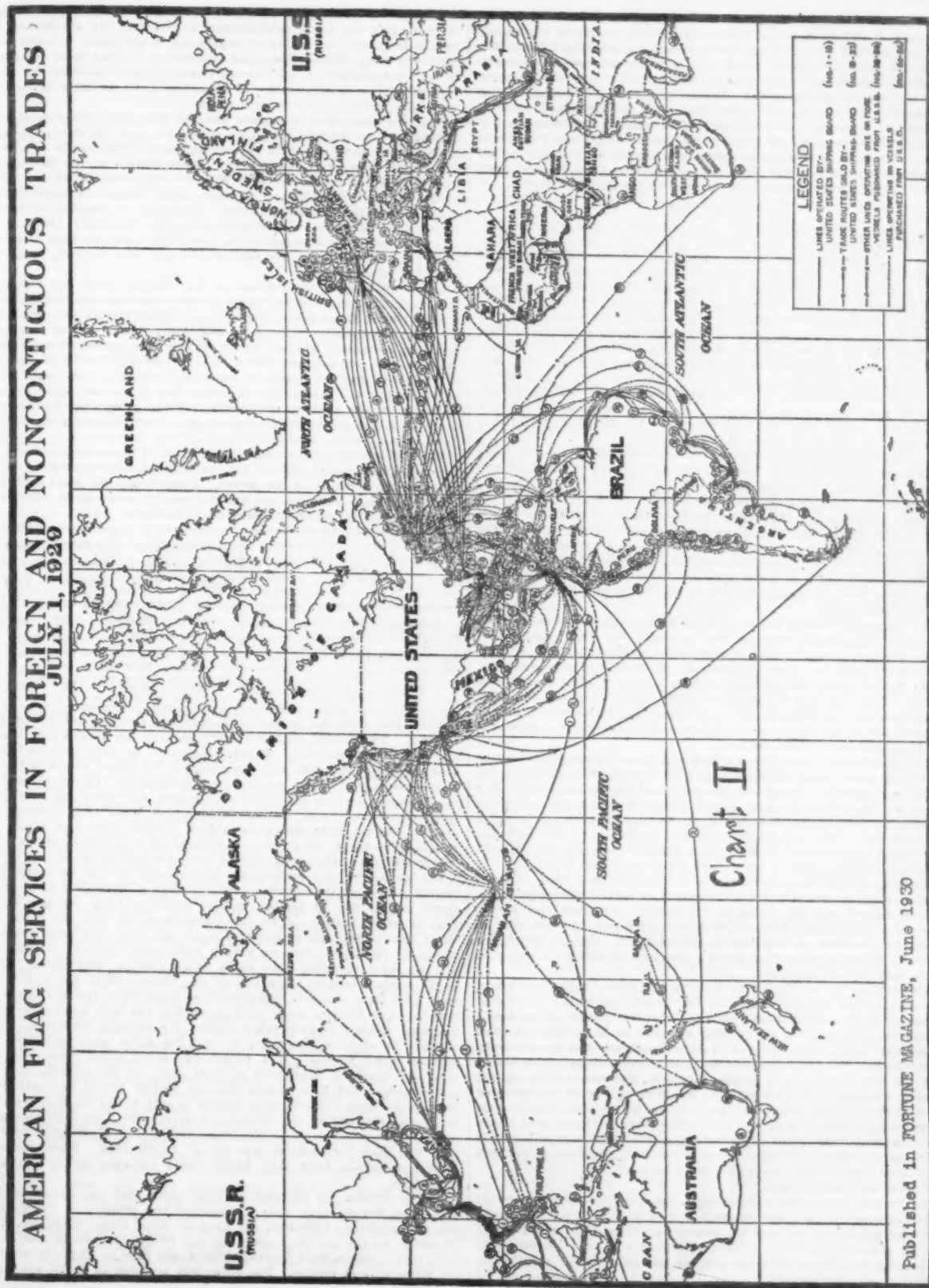
There are, besides the essential policies of protecting the Panama Canal, our insular possessions, and Alaska, which, by themselves, would require a navy of no small dimensions.

Although we take these policies for granted, it is obvious that if we were not able to maintain them they would be speedily nullified. Where our maximum demand is for trade equality, that of most other nations is for trade privilege. Therefore the maintenance of the "open door" seems just as damaging to others as it seems fair to us. If other nations felt they could "get away with it," they would gladly create special preserves for themselves in those foreign markets which are becoming increasingly important to us. The same is true of protecting American citizens abroad. If it were thought that the American in foreign lands could be trifled with, he would be. And if a European nation concluded that it could establish a profitable dependency in the Americas, it is only natural to believe that it would do so.

AMERICAN FLAG SERVICES IN FOREIGN AND NONCONTIGUOUS TRADES JULY 1, 1914



Published in FORTUNE MAGAZINE, June 1930



Assume, for instance, that instead of our external trade having increased four and one-half fold while Great Britain's increase was merely two and one-half fold, each had increased three and one-half fold. The increment to Great Britain would have probably forestalled her unemployment problem and done much to solve her other economic stringencies, but not necessarily to the economic or political advantage of the United States. The fact is often that what is one man's meat is another man's poison; and in the case of so typically American a policy as the Monroe doctrine, for instance, the visible force which prevents, say, a European state from establishing a foreign dependency in the America is not the Peruvian Navy or the Argentine Army, but the Navy of the United States backed up by the will of the American people.

WAR—ITS RISK

To understand the risks of war we must first understand ourselves. We must realize that we are a trading nation and a gain-loving nation. These two qualities are in harmony with each other. But we are also a peaceful nation. This is, to be sure, due to the subconscious personal inclination of Americans, but it can also be attributed to the fact that the maintenance of the status quo is beyond even the slightest doubt to our immense advantage. If we were in the position of Germany, for instance, and had a strip of foreign territory separating New England and the Middle Atlantic States from the rest of the country, or if we were, like Austria, an impossible economic unit, we might feel differently about the régime of things as they are. We are, however, satisfied with the world as it is, and with good reason. We should not, however, make the common mistake of assuming that because we feel a certain way, others must feel that way, too. We have nothing to gain by a war, but others may think that they have.

Broadly speaking, the ways in which the Navy might have to enter actual combat fall under two heads: First, with regard to weak nations; second, with regard to strong ones.

Besides the Caribbean countries we must occasionally intervene in the east. Marines and bluejackets represent the Navy in China to-day. It is enough to say that during the past 115 years of our existence the armed forces of the United States have been landed on foreign soil for the protection of the lives and property of American citizens more than 100 times. Without a declaration of war bluejackets and marines have gone ashore from the Aegean Islands to Manchuria and from Mexico to the Falkland Islands.

The chances of trouble where stronger nations are concerned can not be stated categorically, however real they may be. Our international prowess, however, must make it sufficiently obvious that Mr. William Howard Gardiner was right in applying the term "insular America" to the United States and in showing that we are in effect a vast mid-oceanic island and not a self-sufficient continent—that we, in short, occupy a central maritime position and have a population which, for the maintenance of its standard of living, will increasingly require the wealth that is drawn from the sea.

Moreover, history shows that the new and rising nation, whether it be the United States to-day or the Kingdom of Prussia under Frederick the Great, only rises at the expense of others, and consequently only after the others have failed in keeping her down. So it is that Sir Esme Howard, the last British ambassador to the United States, could say a few years ago: "The only possible source of trouble that I can see in the future might arise out of economic competition; it seems to me that the struggle for markets will be more acute and violent than in the past."

It is only because we are growing in an economic sense that we tread on other people's toes. Our trade prowess is an individual rather than a national matter, and the "man on the street" is probably not keenly aware of it. There are, however, such deliberate and conscious policies as our immigration act and our protective tariffs, both of which are extremely irritating to foreign nations, and both of which are approved by the majority of Americans.

Moreover, we do not intend to draw in our horns, reduce our trade, and abandon the policies which are the foundation of our well-being. And in all truth must it be said that, as far as the eye can see, no single foreign power is going to try to force us to do so at the present time. A combination of powers, however, is not inconceivable and is historically on the cards. The nations banded together unsuccessfully against Frederick the Great, successfully against Napoleon, and successfully against Imperial Germany. I do not mean by this that we now do or ever shall resemble any of these countries, but it is not at all inconceivable that others might think of us in just such terms. The correctness of a certain view is sometimes not as important as the vigor with which it is held. As Mr. Owen D. Young recently observed, "America is too rich to be loved. She is well enough off to be envied."

What is an adequate navy?

The French, with characteristic logic, speak of the "absolute naval needs" of a nation as though the nation were floating in space removed from any neighbors. In such an enviable position there would be no need for a navy since there would be no trouble makers. Naval needs are relative and depend in large part on the risks of war entailed by the policies of other powers.

A glance at the United States makes it difficult indeed for anyone to prove that our naval establishment is too big. We are flanked by two huge oceans, on either of which we might have to exert our maximum naval effort. The rapid transfer of the fleet from one coast to the other depends on the Panama Canal, which is probably the most vulnerable place in the world. If we wanted to be perfectly consistent, we would require a Navy on each coast.

But this theoretical maximum has not been the American policy. Instead we have adopted the policy of equality with the strongest—and the strongest navy to-day is the British Navy. Historically speaking, this is far from an extreme policy. Great Britain in the past acted on the theory of having her navy stronger than those of all the other navies of the world lumped together, which theory in more recent times became the 2-power standard. Our policy of equality with the strongest is, of course, a very great guaranty of security, although it obviously would not be adequate for a war in which we were attacked by several naval powers. It can not, by any fair standard, be called anything but moderate.

The policy of equality, or parity as it is usually called, has, however, been decided on and was agreed to by Prime Minister MacDonald, who told the United States Senate that as far as Great Britain was concerned we could have parity "heaped up and flowing over." It is therefore pertinent to inquire whether parity, having been agreed to in theory, exists in fact. If this question is to be answered correctly, it must be first realized that sea power, in the established use of the term, does not consist of the fleet alone. Entering into it are two other factors of equal, if not greater, importance. These other two factors are naval bases and the merchant marine, and in both these factors we are vastly inferior to the British.

When Messrs. Hoover and MacDonald speak of Anglo-American parity, therefore, they refer only to fleet parity and not to parity in the fundamental elements of sea power. Fleet parity we shall probably obtain, although we have not got it now, for in January, 1930, the modern vessels of the two fleets stood as follows:

Class	United States		British Empire	
	Number	Tons	Number	Tons
Capital ships.....	18	223,400	20	606,450
Aircraft carriers.....	3	76,285	5	92,850
Cruisers.....	11	80,500	54	327,111
Destroyers.....	228	226,313	150	157,585
Submarines.....	76	59,738	53	47,421
Total.....	331	966,237	282	1,231,417

This table does not include ship building, appropriated for or authorized. The capital ships are determined by the Washington treaty and so are not subject to change. Moreover, we have cruisers under construction, authorized, and appropriated for which would bring us much closer to the British strength in that category. Our large quantity of destroyers may be attributed to the late war when the American fleet acted jointly with the British and destroyers were essential to protect convoys from submarine attack. These destroyers would be relatively useless to us if we were engaged in a war by ourselves. At the present time large quantities of them are laid up in port.

Big battleships and cruisers are preeminently to our advantage for strategic as well as economic reasons, since a battleship or a long-range cruiser can go farther without refueling than can any other type of naval vessel. If we had naval bases all over the world as Great Britain has, this requirement would not arise, and small cruisers would do the trick. But we have a trade which extends everywhere, and we must therefore have ships which can go everywhere. Now, naval warfare usually takes one of two forms—either the two fleets meet with their complete complement of battleships, cruisers, destroyers, etc., and hammer away until a decision has been reached, or else dispersed warfare is undertaken against the enemy's commerce. This consists in cruisers wandering around the seven seas, capturing or sinking enemy vessels. If a nation has naval bases, these cruisers need not devote a large part of their space to the carriage of fuel and supplies; but if a nation like the United States has very few bases, ships must be made large enough to stay at sea for long periods. So it was that before the Washington treaty the United States built several cruisers of about 14,000 tons. But at the Washington conference the limit for cruisers was set at 10,000 tons. Therefore any further reduction from that figure would certainly be to our disadvantage.

Let us assume for purposes of illustration that the United States and Great Britain each wish to maintain two cruisers at the following four stations: Gibraltar, the Cape of Good Hope, Singapore, and Panama. As the preceding quotation has shown, this would take more than eight cruisers each because ships would have to leave the station for refueling and repairs. The advantage accruing to the power with

bases over the power without them may be expressed in the following table:

British cruisers

	On station	Absent from station	Total
Gibraltar.....	2	1	3
Cape.....	2	1	3
Singapore.....	2	1	3
Panama.....	2	3	5
Total.....	8	6	14

American cruisers

	On station	Absent from station	Total
Gibraltar.....	2	3	5
Cape.....	2	6	8
Singapore.....	2	2	4
Panama.....	2	1	3
Total.....	8	12	20

On such a basis, therefore, 20 American cruisers are the equal of merely 14 British cruisers. This may perhaps show how difficult a matter it is to determine what parity really is.

Where outlying naval bases are concerned, the United States has 7 to the British 26. It is interesting to note that the British have four bases in western Atlantic waters whereas we have none in eastern Atlantic waters. Our outlying bases are either in the Caribbean or in the Far East. In middle and near eastern waters, or in the vicinity of Europe or Africa, we have none at all. The question of acquiring more bases has not been considered enough from a strategic standpoint to make a definite opinion possible. From a commercial standpoint, however, there is already something to be said for it. As the accompanying chart shows, we are becoming more and more independent of foreign bottoms for the carriage of our foreign trade. We have, fortunately, learned that lesson from the World War when our utter dependence on foreign ships was so large a factor in bringing us in. This increasing American merchant marine going into every corner of the globe would undoubtedly profit by having ports of call here and there under the American flag. Human nature being what it is, it is only natural for American ships to get treatment in foreign ports inferior to that received by citizens of the country to which the port belongs. Delays and discrimination are bound to occur, and these cost money.

The third item of sea power is the merchant marine, and here our inferiority to the British is also pronounced. This explains why fleet equality with the strongest does not mean sea-power equality with it. Public attention centers on the fleets because war vessels are specially constructed by the Government for a special purpose. Where general warfare is concerned they are, however, only a small part of the total. Nearly everything that a nation needs in time of peace is a source of strength in time of war. Food and clothes are indispensable in war, and it was largely because the British and American navies stopped the Germans from getting food that they gave in. Pushing the subject a little further, automobiles and airplanes would be invaluable in time of war, yet no one talks of limiting them because their use in time of peace is so much more obvious to most persons than that of the Navy. Merchant vessels are in this class—valuable for war but not subject to limitation because of their usefulness in time of peace. But if all navies were abolished, the naval importance of merchant ships, especially when armed, would at once be apparent to everyone. So it is that the more navies are reduced, the more importance attaches to the merchant marine. In the War of the Revolution we had practically no Navy but we had many naval actions fought with commercial vessels.

The research division of the United States Shipping Board shows that Great Britain's ocean-going merchant tonnage is nearly twice that of the United States. Discouraging as this may seem, it is a great deal better than it used to be and should improve still more if Americans take the lessons of recent history to heart.

It is interesting to note that in 1830, 89 per cent of our foreign trade was carried in American ships. This fell to 8.7 per cent in 1910, and stood in 1928 at 33.3. Our total number of merchant ships as of January 1, 1930, was 1,695, aggregating 9,526,108 tons, as compared with 3,034 British ships, aggregating 18,057,236 tons.

Merchant vessels which would be useful in time of war should have an individual gross tonnage of 4,000 tons or over with a speed of 15 knots. This type might be utilized as cruisers or armed transports. Of this class of ships the United States has 83, with an aggregate tonnage of 884,064, and Great Britain 245, with an aggregate tonnage of 3,170,603. Britain thus has a superiority in convertible merchant vessels of about 3 to 1.

In making these constant comparisons between the United States and Great Britain nothing invidious is intended, for it is my conviction that relations between the two great powers have never been as good as they are today. They are made because the two Governments have agreed on parity, and parity with the strongest is today the naval policy of the United States. The foregoing, therefore, seems to show that while our two fleets may ultimately be in the ratio of 10 to 10, where naval bases are concerned the ratio is 2.6 to 10, and where merchant marine is concerned the ratio is 3.3 to 10. Instead of having parity in sea power the average relationship of all three factors, figured on an equal basis, makes the ratio one of 5.3 to 10. Such is the true picture of things as they are—on the assumption that our naval fleets are equal, which, as shown above, they are not.

THE COST OF THE NAVY

The question of what a certain governmental activity actually costs is nearly impossible to determine, and the difficulties of doing so with regard to the Navy are well exemplified by the current discussions on how much "we spend for war"—a broad and nearly meaningless phrase. A favorite way of estimating this is to take the total annual expenditures of the Federal Government and then to add up the service on the national debt, the sums paid for pensions of past wars, and the current war, and Navy Department appropriations. These are then called "expenses for war" and amount to about 72 per cent of the Federal total. From this it is an easy, if inaccurate, step to the saying: "Americans spend 72 per cent of their governmental income for war."

The question of what the Navy costs should be discussed on a rational rather than on an emotional basis. To begin with, the United States is a Federal Republic and not a centralized state like France or Great Britain. In those countries the expenses emanating from London or Paris give a fair idea of the total governmental expenses of the nation. The Federal figures by no means give an accurate idea of the total governmental expenses of the United States. Our State and local governments, in the aggregate, spend about twice as much as our Federal Government does.

The latest reliable figures available on the cost of government in the United States are those of the National Industrial Conference Board (Inc.) for 1927. The following table shows our Federal, State, and local expenditures for 1913 in 1913 dollars and for 1927 in 1927 dollars:

	1913	1927	Increase	Percentage increase
Federal.....	\$302,000,000	\$4,069,000,000	\$3,777,000,000	488
State.....	383,000,000	1,656,000,000	1,273,000,000	332
Local.....	1,844,000,000	6,454,000,000	4,610,000,000	250
Total.....	2,919,000,000	12,179,000,000	9,260,000,000	317

This somewhat appalling increase in the cost of government is lessened by the fact that the 1927 dollar is worth only a fraction of the 1913 dollar. Using the wholesale price index for 1927 which, according to the Bureau of Statistics of the Department of Labor, is 146.8, the total expenditures for the years 1913 to 1927, in 1927 dollars, are as follows:

	1913	1927	Increase	Percentage increase
Federal.....	\$1,016,000,000	\$4,069,000,000	\$3,053,000,000	300
State.....	582,000,000	1,656,000,000	1,074,000,000	195
Local.....	2,706,000,000	6,454,000,000	3,748,000,000	139
Total.....	4,284,000,000	12,179,000,000	7,895,000,000	184

SEA-TRADE STATISTICS—COMMODITIES OF PEACE

A large industrial nation without free and guarded access to the sea is an organism without space to breathe in. That America is a great exporting country is a truism; that it is also a great importing country is less generally and completely realized. Our imports in 1929 exceeded the four-billion mark for the fifth consecutive year; their total value was 7½ per cent higher than in 1928, in spite of the drop in price of nine leading commodities (coffee, sugar, rubber, hides and skins, newsprint paper, crude petroleum, coconut oil, copra, and tin). Record-breaking imports included silk (87,000,000 pounds), crude rubber (1,263,000,000 pounds), newsprint paper (4,845,000,000 pounds), cane sugar (9,770,000,000 pounds), and tin bars and blocks (195,165,000,000 pounds). Follows a table of import and export values for 1929:

Imports

Raw silk.....	\$432,340,000
Coffee.....	302,397,000
Rubber.....	247,421,000
Sugar.....	229,065,000
Paper, newsprint.....	163,154,000
Petroleum and products.....	143,545,000
Hides, skins.....	137,281,000
Furs and manufactures.....	122,529,000
Paper base stocks.....	118,133,000

Copper.....	\$104,300,000
Jute and manufactures.....	85,989,000
Tin.....	81,839,000
Vegetable oils, inedible.....	91,819,000
Wool, unmanufactured.....	87,344,000
Fruits and nuts.....	86,648,000
Art works.....	82,106,000
Precious stones, pearls and imitations.....	79,650,000
Oilseeds.....	79,335,000
Fertilizers.....	72,340,000
Wool manufactures.....	64,869,000
Cotton manufactures.....	63,454,000
Tobacco and manufactures.....	60,618,000
Sawmill products.....	54,159,000
Cotton, unmanufactured.....	53,333,000
Flax, hemp, etc.....	50,890,000
Vegetables and preparations.....	47,797,000
Leather.....	44,559,000

<i>Exports</i>	
Cotton, unmanufactured.....	770,830,000
Automobiles, other vehicles.....	588,023,000
Petroleum.....	561,178,000
Grains and preparations.....	286,354,000
Industrial machinery.....	277,754,000
Tobacco manufactures.....	165,625,000
Agricultural machinery.....	140,801,000
Fruits, nuts.....	137,467,000
Electrical machinery.....	121,365,000
Animal oils and fats.....	117,714,000
Cotton, manufactured.....	111,216,000
Sawmill products.....	110,628,000
Coal and related products.....	106,151,000
Iron and steel manufactures.....	104,148,000
Steel-mill products.....	96,046,000
Iron and steel, advanced manufactures.....	87,003,000
Rubber manufactures.....	76,963,000
Office appliances.....	53,754,000
Leather.....	42,947,000
Wood manufactures.....	40,934,000
Furs and manufactures.....	39,504,000
Paper manufactures.....	37,380,000
Fodders and feeds.....	32,715,000
Photographic goods.....	31,566,000
Naval stores, gums, etc.....	30,998,000

COMMODITIES OF WAR

Better able to support ourselves than France or England, we are far from self-sufficient in peace or war. Fortune prints for the first time an official tabulation of war-time necessities, together with the countries of their origin.

Trade region	Percentage of United States supply from this region	Military use
<i>Asia, East Indies:</i>		
Antimony.....	67	Munitions, bearings.
Campbor.....	96	Aircraft, medicinal uses.
Jute.....	86	Sandbags, food containers.
Manila fiber.....	100	Cordage, rigging, ropes.
Rubber.....	85	Tires, gas masks, boots, etc.
Shellac.....	86	Varnish for fuses, electrical devices.
Silk.....	90	Cartridge bags, parachutes.
Tin.....	66	Food containers, bearings, etc.
Manganese.....	14	Steel, chemicals, batteries.
<i>Europe:</i>		
Manganese.....	30	Do
Nickel.....	85	Gun steel, armor plate, ammunition.
Quicksilver.....	51	Fulminate, paint, batteries, medicine.
Quinine.....	81	Medicinal uses.
<i>Caribbean:</i>		
Coconut shells.....	92	Absorbent for gas masks.
Sugar.....	61	Food.
Sisal.....	74	Ropes.
<i>East coast of South America:</i>		
Manganese.....	22.5	Steel, chemicals, batteries.
Coffee.....	72	Food, stimulant.
<i>West coast of South America:</i>		
Nitrates.....	40	Explosives, chemicals.
Iodine.....	76	Medicinal uses.

The percentage increase is thus something less than half of what it appeared to be before allowance was made for the purchasing power of the dollar. So it is that during a period when the population of the United States increased from 96,512,407 to 118,620,000, or 23 per cent, the total costs of government increased by 184 per cent. Where the cost of government had been \$44.39 per capita in 1913, it had increased to \$102.69 in 1927.

Out of a grand total, therefore, of more than \$12,000,000,000, the total military expenditures were \$600,000,000, or about 5 per cent. Compare it with the largest governmental expenditures listed here in the order of their size, as given by the National Industrial Conference Board:

Public education.....	\$2,344,000,000
Highways.....	1,708,000,000
Social welfare.....	1,108,000,000
Cost of General Government.....	866,000,000
Public services (including postal deficit).....	617,000,000

Then compare the increase of some \$220,000,000 in our military expenditures with the increase in our governmental expenditures for other purposes of \$7,895,000,000. The other expenses have increased thirty-

five times as much. Where the general cost of government has gone up 184 per cent, that of our national defense has increased 59 per cent. Putting it in another way, while our military expenditures increased \$1.16 per head—and of this only 74 cents per head is for naval expenses—our other expenses increased \$62.12 per head. Surely a people whose national wealth is close to \$400,000,000,000 and who spend over \$12,000,000,000 on its government as a whole, need not be overexerted by this comparatively slight increase in the means of self-protection. And surely those who talk of "the crushing burden of naval armament" can not be talking of the United States—or they have not taken the trouble to look up the facts, for the facts show that naval armaments cost less than 3 per cent of our nonmilitary governmental expenditures.

There is one more consideration with regard to the cost of the Navy which should be mentioned. When expenses "on account of war" are mentioned it is the custom among certain persons to include the national debt and the pension for veterans of past wars. But does this give a true picture? Of course, the pensions would not be paid if the war had not been fought, but it is equally true that they would not be paid at all if the war had been lost and the Nation had been either ruined or destroyed. The statisticians can total up the cost of the Civil War as high as they like, but it is safe to say that no total they can reach will look very big when compared with the value of the existence of the United States. The War of the Revolution may have been frightfully expensive, but most Americans will incline to the view that it was on the whole a profitable proposition.

The late war afforded an apt lesson of how expensive it sometimes is to be without an adequate Navy. The cost of the war to the United States is usually estimated at \$25,000,000,000. Yet in the words of Col. Edward M. House, who had probably a closer contact with the underlying facts of the war than any other American, "given a large and efficient Army and Navy, the United States would have become the arbiter of peace and probably without the loss of a single life." Experience eventually converted so pronounced a pacifist as the late President Wilson to the value of a navy as a peace preservative, somewhat in the past Thomas Jefferson had also become converted.

In both the small and the large sense the United States Navy is the protector of American business. Its gunboats on the Yangtze protect the ships of an American oil company, its cruisers off the Shanghai Bund mean that American citizens can trade and live peacefully far from home, and its marines in the Caribbean guarantee to the fruit grower and trade as great a degree of justice as natural conditions allow. The presence of an American Navy is assurance to the millions of Americans dependent in one way or another on the automotive business that they will have rubber tires. It insures at a remarkably cheap rate a foreign trade of nearly \$10,000,000,000 and overseas interests of some \$50,000,000,000—which, by the way, is more than the whole country was worth 50 years ago. Finally, it is the best method yet devised for protecting American civilization, the United States of America, and all the vast imponderable things which are thus entailed.

FOREIGN OPPOSITION TO OUR MERCHANT MARINE

Foreign opposition to the upbuilding of a strong American merchant marine has for many years been persistent. This opposition has been one of the most serious obstacles to be overcome in the development of a strong merchant marine policy in the United States. The public has frequently been misled by erroneous propaganda and its has taken time to educate the American people to a proper sense of appreciation of the importance of an American merchant marine in the conduct of our foreign trade.

As an evidence of this opposition, I desire to quote in part an excerpt from the British publication *Fairplay* of January 9, 1930, page 56, under the title "Naval Parity Talk," which was reprinted in the March-April, 1930, issue of the *Bulletin of the American Bureau of Shipping*, as follows:

... our position was unique; while our interests were so widespread that we could not afford to think of anybody but ourselves, and so vital to us that, even if other nations had complained that our naval policy was putting an undue strain upon their competitive resources, and had asked us to go slow, we should probably have had to disregard their neighborly suggestion. To-day the position is altered to the extent that the United States of America could, at a pinch, be made almost as definitely self-supporting as our Empire—with, however, this material difference: Our trade routes are at once the strongest and the weakest links in the chain that binds the British family together; they are ours by right of capture and descent; they feed us; they nourish our mercantile marine. America has no such heritage of the seas; she needs a merchant fleet merely to carry her produce abroad. If her foreign markets were closed to her, her normal, natural process of expansion would cease with the satisfaction of her domestic demand.

This statement, representing the British viewpoint of the American merchant marine, definitely subordinates the impor-

tance of the mercantile marine in the general economy of the United States to a position of great inferiority, while it emphasizes the importance of the British mercantile marine in the general economy of the British Empire. It illustrates how dangerous it would be for us to formulate our merchant marine and naval policies on British specifications. The British interpretation also emphasizes the importance of defining our own maritime and naval policies and of carrying them into effect without restriction.

Foreign opposition to the upbuilding of the American merchant marine was expressed in no uncertain terms at the recent Baltic and International Maritime Conference held in Copenhagen. I desire to quote in part from an editorial in the July-August, 1930, Bulletin of the American Bureau of Shipping, under the title "World Depression in Shipping," as follows:

There can be no denial of the fact that the merchant shipping of the world is going through one of the greatest periods of depression that has ever befallen this industry. Not alone in the operation of ships is this stagnant condition felt but in shipbuilding activities as well.

At the recent Baltic and International Conference held in Copenhagen this state of the industry appears to have occupied a major part of discussion in the proceedings. The amazing thing to the delegates seems to have been the fact that in the United States shipbuilding is in a better condition than it has been in the last 10 years. This fact was apparently taken by many of the delegates as almost an affront. So pronounced was the feeling against government aid to shipping in this country that a resolution deploring such actions of governments generally was adopted with but three dissenting votes.

In common with several other nations the United States was accused of "violations of the policy of the open door," under several counts, such as "exclusion of foreign vessels from our coastwise trade," "running of state-owned ships," "state loans to shipping at cheap interest," etc., to all of which America must plead guilty. Whoever agreed to this policy of the open door in shipping anyhow? Surely we did not.

In the matter of reserving our coastwise trade to ourselves it is conceivable that if and when the millennium is near at hand and the angelic spirit of brotherly love has so changed human instincts that Americans are willing to exchange a shilling in hand for a farthing in the bush, then may our coastwise traffic be opened to all so that in this policy of the open door our ships may avail themselves of the priceless privilege of engaging in the coastwise trade of Denmark, for example, where this resolution originated.

The delegate who introduced this resolution said he regarded the United States as the most narrow-minded in this matter of state aid to shipping. He said: "America was thus competing with her customers, and the day must come when she would have to compete on natural lines, and that day would be when she was not richer than the rest of the world." Parenthetically we must remark that this clause, "competing with her customers," is a gem of thought when it is considered that we get less than 20 per cent of the trade in the North Atlantic Ocean, yet furnish about 70 per cent of both the freight and passengers in this most important of the world's commercial highways.

To conclude, we must agree that this world at large is overtonnaged for present commercial needs; that the United States is greatly overtonnaged for her own best commercial and defensive interests; that America has no ambition to monopolize shipping, not even its own by rights; that we are going through a world-wide depression in all kinds of business, due fundamentally to the malign influence of the Great War, and that depressions of this kind will pass away as they always have before, but this time more quickly.

Were this Nation to surrender its permanent policy of restricting its intercoastal trade to American flag ships, that branch of the American merchant marine engaged in intercoastal trade would soon become impaired and would disappear. Were this Nation to adopt a policy designed by foreign shipping interests, we would have at best only an inferior overseas merchant marine, which would constitute a great liability to our foreign trade, and we would be compelled in large measure to surrender our foreign trade to other countries whose merchant marines would be superior to our own. Were we to surrender the right of formulating our own naval policy, that arm of our national defense would be left paralyzed and weak, and our ability to protect our foreign commerce and merchant marine would be so greatly impaired that this Nation would be at the mercy of foreign countries.

After all of these years of commercial competition with foreign countries we should know that we must rely upon American policies for the upbuilding of our merchant marine and for the development of the Navy for the protection of our trade and national defense. Commercially, a nation can become no stronger than its merchant marine, and the position of the United States demands that her merchant marine be superior to the merchant marines of other countries. Naval protection for such a merchant marine demands a navy built

upon American specifications to fit American needs and to meet all conditions that may arise. The London treaty very definitely prevents this Nation from constructing such a navy; and, consequently, if it is adopted at all, the treaty must be so amended as to conform to our best national naval policy.

Mr. President, we should recall that the American Navy was brought into existence for the declared purpose of protecting American trade. Such has been its traditional primary function, with few lapses when our ocean-going trade had dwindled to small proportions. Now that the value of our fast-growing sea-borne commerce has become practically equal to that of the British Empire and every year substantially matches the amount of our national debt, we can not afford to overlook the basic fact that the primary function of a navy is commerce protection.

This doctrine is not confined to the United States. For more than a century the best economic, political, and naval thought in Great Britain has joined with ours in holding to it. Typifying this attitude were the opening remarks of the head of the British delegation at the Geneva conference of 1927 in stating the foundation of British naval policy. After apologies for "repeating well-worn platitudes," he mentioned only two main points:

(1) The fact that the mother country is almost entirely dependent not only for raw material but also for her food supplies and her very existence upon free passage upon the seas.

(2) The other important factors are the immense length of routes over which our trade is carried and the very large coast lines which bound the various parts of the empire and the necessity of providing reasonable protection for these extensive shores and long lines of communication.

There is no need of disputing these fundamental assumptions. My purpose in quoting them is to stress their primary economic basis, which is also the basis for having an American Navy if our economic life is to be reasonably well insured. The disastrous effect upon our economic life which would result from the stoppage of the \$15,000,000,000 business which we do every year on the sea is obvious.

At the Geneva conference of 1927 the British first advanced the theory of splitting the cruiser allowances into two types of ships, severely restricting the number of the larger type carrying 8-inch guns, and leaving a liberal quota of the smaller type armed with 6-inch guns. The American objection to this, which was strongly voiced by our delegation, was that the effect of such a change in the accepted method of limitation would not be equitable to the United States, especially in the matter of trade protection. This is a fact which is easily demonstrated and a principle which we abandoned more recently at London.

The reasons for this unfairness to American commerce-protection ability are threefold. They relate to merchant liners, battle cruisers, and naval bases.

It is well known that Great Britain has a relatively large number of big merchant liners, capable of ready conversion into valuable auxiliary cruisers mounting 6-inch guns and carrying a good quota of airplanes. They would be exceedingly useful in raiding commerce, and, obviously, the smaller and weaker the regular cruiser sent against them the more effective will be the merchant liner. While a regular cruiser mounting 6-inch guns might normally be capable of dealing with a merchant liner, she could scarcely succeed if confronted with several merchant liners. On the other hand, a regular cruiser mounting 8-inch guns need not fear several merchant liners. In justice, therefore, we should have the option of building our cruisers of the 8-inch-gun type to meet this merchant-liner menace.

The unfairness to us on the score of battle cruisers is equally striking. The navies of Britain and Japan each have three battle cruisers, a capital ship mounting guns of 14 and 15 inches in caliber, and possessing very high speed; but by reason of that speed necessarily carrying comparatively light armor. At the battle of the Falkland Islands in the late war the two German cruisers *Scharnhorst* and *Gneisenau* did very substantial damage with their 8.2-inch guns to the two British battle cruisers which had been sent 7,000 miles from the North Sea to meet them.

Due to the wholesale scrapping of capital ships after the Washington conference in 1922, we have no battle cruisers in our Navy. The only way left to us of dealing with this type when engaged in commerce warfare is through our using 8-inch-gun cruisers. To unduly restrict us in this type, as has been done by the treaty, constitutes a serious handicap upon our commerce-protecting ability, relative to the other powers, that is in no way compensated by our liberty to build 6-inch-gun cruisers which are of no use against battle cruisers.

The unfairness relating to naval bases is a little more complicated, but not difficult to understand. The nearness of bases

to an operating area has an important bearing upon the per cent of the total force which can be kept at the front. Thus bases are in an important sense an equivalent of ships and of power which can be exerted on the sea.

Let us take a simple example which will clarify the principle. A 10,000-ton cruiser can steam about 15,000 miles at economical speed. Suppose such a cruiser had to protect American trade in the China Sea from a base no nearer than Honolulu. Two-thirds of the cruiser's fuel would be consumed in going to and returning from the China Sea, where she could consequently spend only one-third of her total time.

In comparison with this a British or Japanese cruiser, operating from a base at Singapore or Nagasaki, could spend four-fifths of her time protecting commerce in the China Sea. Their marked advantage over us would be entirely due to the much greater nearness of their base. Translated into terms of numbers of cruisers which can be kept on station, under the above assumptions, we would have to have 12 cruisers operating out of Honolulu to match 5 cruisers operated from Nagasaki or Singapore. On this 12-5 ratio of total strength each side could keep 4 cruisers constantly operating in the China Sea. It is clear that for the sole reason of having nearer base in this case the British or Japanese strength in numbers of effective ships has been multiplied by three.

It is therefore easy to understand that the wide dispersion of the British Empire is not in reality a source of naval weakness, but of strength, when it comes to protecting commerce, because of the numerous well-placed bases which serve to multiply the power of the British Navy. Equally obvious is the fact that without such bases the American Navy would have to have very much stronger cruiser forces than Britain before there can be any semblance of parity between us in commerce-protecting power.

Considering all three of these factors of merchant liners, battle cruisers, and naval bases, it is apparent that the unprecedented subdivision of cruisers into two classes, together with the severe restriction of the 8-inch-gun type compared with the 6-inch-gun type, is not equitable to the United States.

Even if we should put our entire cruiser allowance into the 8-inch-gun type of ship on any basis of parity in total cruiser tonnage, we could not possibly approach parity with Great Britain in commerce-protection and commerce-raiding power, on the assumption of her having most of her tonnage in the 6-inch-gun type, which she prefers. Her superiority in merchant liners and battle cruisers and naval bases would still enable her to greatly outclass us.

I would like to leave a clearer impression than these somewhat general remarks may have conveyed. On an assumption of parity in cruisers, and with the British naval bases on this side of the Atlantic denied to Britain, the two commerce-protecting forces would meet on even terms in a line drawn from Newfoundland to Venezuela. We would be cut off completely from eastern South America, Europe, and Africa. Similarly, our trade with China and Japan would be severed. In other words, all British essential trade routes, excepting those to Canada, would remain free for Britain, while, on the other hand, Britain would have the power to place an economic blockade upon us amounting to economic ruin.

Turning to the trade-protecting comparison with Japan, the ratio of 5 to 3 between us in cruisers would still leave with her the power to stop all our trade in the region from eastern Africa to a line passing well east of Japan and Australia. Here our annual trade, excluding that with Japan herself, amounts to \$1,500,000,000. We would have power to injure Japan's economic life compared with what she would be able to do to ours. Yet the treaty raises the Japanese proportion in cruisers so that Japan is to have 3.4 in comparison with our 5.

Mr. President, the question of commerce protection goes to the heart of the treaty. Admiral Yarnell, one of the American technical advisers at London and a strong supporter of the treaty, recently testified before the Senate Committee on Foreign Relations that in the event of war between this country and Great Britain, neither one of the two main fleets would be likely to cross the Atlantic Ocean. This probability follows from the fact that neither fleet could operate at full strength so far from home, and hence by crossing the ocean would probably suffer defeat. Thus the war would automatically resolve itself into one against trade on both sides. In this, as I have tried to show, Britain would get off practically unscathed while we would suffer heavy losses.

In the same testimony before the Senate committee Admiral Yarnell said that we would need an initial superiority of about 2 to 1 in total fleet strength before our fleet could go to the Orient against the Japanese with any reasonable chance of success. Since the ratio under the treaty is 5 to 3.2, it is obvious that at least much delay would ensue before there was any

combat between the main fleets. Meantime, the war would again have to be one primarily directed against trade.

These views of Admiral Yarnell, a strong treaty proponent, regarding the necessarily long delay before any fleet combat in either ocean could occur, together with a probability of there being no fleet combat at all, are generally recognized as sound by officers on both sides of the treaty controversy. Yet we have the reiterated and unmistakable testimony of Admiral Pratt, the chief naval adviser at London, that for us the treaty is predicated exclusively upon fleet combat strength alone, and without considering the protection of trade routes.

Thus we have a treaty which reverses the traditional American commerce-protection principle which we had maintained virtually from the origin of our Navy up to the Geneva conference of 1927. On the other hand, Britain gets a treaty which perpetuates the commerce-protection policy which she has vigorously upheld for more than a century. Under the treaty we are to have a Navy designed primarily for fleet-combat strength, when a fleet combat is improbable, and a Navy not properly balanced or designed for trade protection, when that is by far the most probable use to which the Navy will be put. This is in the face of an era of great expansion of American ocean-borne trade, whose proportions have already reached the first magnitude.

It has been repeatedly advanced as a reason why our diplomats at London could not make a better case for us in the matter of cruisers, destroyers, and submarines that the Washington treaty placed no limit upon such auxiliary tonnage, and therefore implied no relation between the strengths of the respective navies in this highly important element of total strength.

In contrast with this contention are the views of President Harding, who negotiated the Washington treaty, as expressed in his speech of July 23, 1923, as follows:

It is covenanted in international honor that our Navy shall retain that first rank, and any failure at retention must be charged to ourselves, because the world has deliberately acknowledged the righteousness of our first-rank position.

Obviously it is impossible for us to have first rank in our Navy unless we have first rank in auxiliary tonnage which totals nearly half of the entire Navy. Obviously there was a moral commitment to the 5-5-3 ratio as applied to cruisers, destroyers, and submarines at the Washington conference.

If the London treaty is carried out as contemplated by its terms, the ratio in 1936 for combined cruisers, destroyers, and submarines, counting ships built and building, will be 5 for us, 5.7 for Britain, and 3.6 for Japan. Manifestly, then, there is much more to the whole question of the treaty than whether or not three cruisers shall have 6-inch or 8-inch guns, as has been so forcibly and absurdly contended by treaty advocates.

The President has stated that the "point at issue in the cruiser program is whether or not we should have 30,000 tons more of cruisers with 8-inch guns advocated by the naval board or 38,500 tons with 6-inch guns provided by this treaty." I say that the point at issue respecting cruisers is much greater than that.

In the first place, there is the large question of our deficiency below both British and Japanese cruiser strength. This deficiency will amount in 1936 to 87,750 tons respecting Britain and 40,080 tons relating to Japan—below our place in the 5-5-3 ratio.

Secondly, we have the question of our having been severely restricted in the type of cruiser which is best suited to our needs. Our building program calls for 23 of these 8-inch-gun cruisers. This is the number which the General Board strongly recommended that we should insist upon in the negotiations. Under pressure the General Board reluctantly agreed against its better judgment to reduce the number from 23 to 21 as the maximum possible concession which we could make in the interest of obtaining an agreement at London.

The Secretary of State took the responsibility of arbitrarily reducing the number from 21 to 18. According to newspaper quotations of official announcements, our delegation at London never proposed that we should have more than 18. We did not get even that many. Within the life of the treaty we may have only 16. The issue as to this type of cruiser is therefore not with regard to 3 American cruisers but 7 American cruisers, because 23 was the number in reality strongly recommended by the General Board.

In addition, there is a question of four British cruisers of the same general type. A casual reading of the treaty would lead an unsuspecting person to believe that during the life of the treaty we were to obtain 18 cruisers as compared with 15 for Britain. I have already explained that our number is not 18 but 16. Similarly when the complicated ramified exceptions to the treaty terms are unraveled it comes to light that the number of this type of cruiser which the British are to have is not 15

at all—it may be as many as 19 during the greater part of the life of the treaty. Thus there are at issue the question of 11 cruisers—7 American and 4 British.

Justification for this violation of American interests has been advanced on the score of our having comparatively little cruiser tonnage at this time to bargain with, and hence it was a great concession for the other nations to slow down their cruiser program while the United States caught up.

Yet an exactly parallel situation existed respecting our destroyer and submarine tonnage, wherein we entered the conference with a substantial advantage, but we failed to use our surplus in these types for bargaining. We gave away this advantage without any corresponding return in relation to cruisers.

This situation is especially striking in the case of destroyers, in which we went into the conference with a ratio of 5 for the United States as compared with 3.2 for Great Britain and 2.1 for Japan. The treaty elevates this British ratio by 56 per cent, and the Japanese ratio by nearly 70 per cent, without our obtaining anything in return.

In the face of these facts it is difficult to reconcile the public statement of President Hoover on June 13 last that the "destroyer and submarine programs of the treaty are fair and meet with substantially no criticism."

Unfair attacks have been made on the General Board of the Navy for having built 6-inch-gun cruisers, as represented by our *Omaha* class, instead of 8-inch-gun cruisers when it was unhampered by a treaty, and advance this as a reason why 6-inch-gun cruisers are as good as 8-inch-gun cruisers.

Of course the General Board has no authority to build cruisers and can only make recommendations. The facts are that the General Board has never recommended anything except 8-inch-gun cruisers since 1919, except in the one case where it was compelled to do so.

Our *Omaha* class of 6-inch-gun cruisers were designed at a time when we had under construction six great battle cruisers, vessels of 33,000 tons, possessing extremely high speed and carrying 16-inch guns. With such vessels as these battle cruisers in our fleet the 6-inch-gun cruisers were sufficient for the purposes of our fleet, especially in view of the fact that there were no 8-inch-gun cruisers of the existing type in any of the navies of the world.

Since that time the other navies of the world have built up large numbers of 8-inch-gun type of cruisers against which 6-inch-gun cruisers are of comparatively little value, especially in commerce protection. There is, therefore, an especial reason why we need 8-inch-gun cruisers instead of 6-inch-gun cruisers. Another reason for this is the fact that under the terms of the treaty of Washington of 1922 we scrapped all of our battle cruisers except two, which were converted into airplane carriers. In the scrapping following the Washington conference the other powers, on the other hand, kept some of their battle cruisers and now there remains in the navy of Great Britain and in the navy of Japan three battle cruisers each.

These battle cruisers of Great Britain and Japan are of immense value to them in protecting their trade and possible attack against the trade of other countries.

While an 8-inch-gun cruiser would not be a match for a battle cruiser, nevertheless two or three 8-inch-gun cruisers, with a good air force supporting them, would be very dangerous to a single battle cruiser, and that is a further reason why we need more 8-inch-gun cruisers in our Navy than is permitted under this treaty.

The value of the 8-inch-gun cruiser in combating battle cruisers is illustrated by the Battle of the Falkland Islands during the late war. There two British battle cruisers, which had been sent 7,000 miles from the North Sea for the purpose of running down two German 8-inch-gun cruisers, met them in an engagement. In an early part of the action the German admiral attempted to get in close quarters with the battle cruisers and succeeded in doing very substantial damage to them with his 8-inch guns. This damage was so alarming to the British admiral that he started away from the German 8-inch-gun cruisers and, having greater speed, succeeded in reaching a range where the German 8-inch guns could not reach the British battle cruisers. The latter, on the other hand, with their 14-inch guns were able to sink the two German 8-inch-gun cruisers. The two German cruisers mentioned were deficient in the element of speed. The modern 8-inch-gun cruiser has a sufficiently high speed so that a battle cruiser could not escape from the range of her guns if she chose to force the fight.

Mr. President, referring in more detail to the Battle of Coronel and the Battle of Falkland Islands, it is of very great importance that we understand what took place in those two battles in determining the merits or the demerits of the cruiser feature of the treaty.

At the Battle of Coronel in November, 1914, there was a clear comparison between the relative value of 6 and 8 inch guns. The main action was between two German cruisers—*Scharnhorst* and *Gneisenau*—each mounting eight 8.2-inch guns, as opposed to the British cruisers *Good Hope* and *Monmouth*, which were mainly armed with 6-inch guns. The *Good Hope* carried two 9.2-inch guns, but one of these was put out of action so early in the fight that the contest was substantially between the 8-inch guns and the 6-inch guns. Incidentally it may be noted that all four of these ships were approximately of 10,000 tons displacement, though the *Good Hope* was rated as high as 14,000 tons.

The British cruiser *Monmouth* was on fire in consequence of the German hits three minutes after the action began, and 27 minutes later was forced to sheer out of line owing to severe injuries. She was so heavily punished that she never quite got back into station. Almost constantly from the beginning of the fight the *Good Hope* was on fire, and was in great distress as early as 35 minutes after the beginning of the engagement. She finally blew up about 30 minutes after the action opened.

In contrast with this severe handling of the British ships, the two German cruisers got off practically unscathed.

BATTLE OF FALKLAND ISLANDS

On account of the annihilation of the British squadron at the Battle of Coronel, the British Admiralty detached the two battle cruisers *Inflexible* and *Invincible* from the Grand Fleet in the North Sea and dispatched them to the Falkland Islands, near the southern tip of South America, a distance of nearly 7,000 miles. These battle cruisers were vessels of high speed and large size. They were really capital ships carrying armaments of eight 12-inch guns, and their armor was considerably thicker than that which the German cruisers *Scharnhorst* and *Gneisenau* carried.

The British battle squadron came into contact with the German squadron in December of 1914 off the Falkland Islands. The main fight was between the two British battle cruisers mentioned and the two German 8-inch-gun cruisers. The action lasted over four hours before the German 8-inch-gun cruisers were sunk.

The German cruisers were short of 8-inch ammunition, because they had been unable to replenish their supply after the Battle of Coronel, and they repeatedly attempted to get close enough to the British ships so that they could use the secondary battery of six 6-inch guns. The 6-inch guns of the German cruisers had practically no effect upon the British battle cruisers, whereas the German 8-inch guns did substantial damage, though such damage was not serious because of the comparatively heavy armor of the British battle cruisers.

These battles taken together illustrate that 6-inch-gun cruisers are of little value against 8-inch-gun cruisers, and that whereas 8-inch-gun cruisers can not effectively reply to battle cruisers, they are nevertheless of considerable value against such ships.

The presence of three battle cruisers in each of the Japanese and British Navies at this time is an important reason why we need 8-inch-gun cruisers because there are no battle cruisers in the American Navy.

Where battle cruisers are used in cruiser warfare in the protection of trade as was done at the Falkland Islands and as it is natural to expect in the case of war between this country and either England or Japan, the only possible reply for the United States is to have a sufficient number of 8-inch-gun cruisers to partly balance the great superiority in trade protection power and trade raiding power which the British and Japanese enjoy in having battle cruisers.

It is a travesty that certain treaty proponents should boast of their accomplishment of having reduced British battleship superiority down to a parity with this country, and almost in the next breath criticize responsible naval officers and point to the fact that the General Board of the Navy were overriden at the Washington conference in the matter of battleship limitation.

The truth is that if the General Board had not been overriden at Washington—if their advice had been taken in 1922—we would have accomplished a genuine parity in battleship strength at that time, instead of the false parity which confronted the negotiators at London and called so urgently for readjustment.

Similarly it is a practical certainty that the overriding of the General Board in 1930 is not smoothing out the solution of the problem of a just limitation of armaments, but is introducing inequalities and difficulties and trouble for the future. It is not in the interest of world peace to do this.

Mr. McKELLAR. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Tennessee for that purpose?

Mr. ODDIE. I yield.

Mr. McKELLAR. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Hale	Metcalf	Shortridge
Bingham	Harris	Moses	Smoot
Black	Hastings	Norris	Steiwer
Borah	Hatfield	Oddie	Stephens
Capper	Hebert	Overman	Sullivan
Caraway	Johnson	Patterson	Swanson
Couzens	Jones	Phelps	Thomas, Idaho
Denene	Kean	Pine	Townsend
Fess	Kendrick	Reed	Trammell
George	Keyes	Robinson, Ark.	Vandenberg
Gillett	La Follette	Robson, Ky.	Walsh, Mont.
Glenn	McKellar	Schall	Watson
Goldsborough	McMaster	Sheppard	
Greene	McNary	Shipstead	

The VICE PRESIDENT. Fifty-four Senators have answered to their names. A quorum is present.

Mr. ODDIE. Mr. President, the strongly alleged "immediate parity" in battleship strength is a fiction. After all the scrapping has been done the British battleship fleet will measure nearly 25,000 tons greater than ours, and this is almost the tonnage equivalent of one battleship and effectively bares the fallacy of immediate parity.

Moreover, immediate parity is impossible on account of the existence of the practically new British battleships *Rodney* and *Nelson*, completed in 1927. Before we can possibly equalize the very great advantage given the British by these two ships—the only battleships in the world whose designs incorporate the lessons of the late war—it is necessary for us to spend \$80,000,000 in modernizing our older battleships by increasing gun elevations, fitting heavy horizontal deck armor against airplane bombs and plunging shells, by fitting blisters against underwater attack, and by other changes.

The cost of this work will be almost the same as the cost of building two new ships, which would be a more businesslike, more economical, and more effective way of modernizing our battleship fleet. That is the way the British modernized their battleship fleet, and the way which the treaty denies to us. It is the way we wanted to do it and the way in which it is supposed the British Prime Minister at first consented to our doing. The fact that our delegation at London failed to gain this way for us is discreditable to their diplomacy and removes justification for their loud claims as to battleship parity.

It is an interesting coincidence if not a matter of great significance that at both the Washington conference of 1922 and the London conference classes of ships in which the United States possesses a great superiority at the beginning of the negotiations are severely reduced to a parity basis under the subsequent agreement; this without any commensurate concession on the part of the other powers in the classes of ships in which they enter the conference with a great superiority. In the large perspective, at both conferences, the United States was the only country to make any substantial reduction in relative strength.

Now, Mr. President, I should like to discuss a matter which seems a little apart from the discussion of this treaty and yet it has a very important bearing on it: That is, the opinion of the civilian against the technically trained expert. It is known that in our country, in all our history, our naval experts have always been considered. In the recent conference they were not considered as they should have been by any means. A few went to London and gave testimony which was overwhelmingly against the testimony of the great body of our naval experts. The advice and counsel of others who went to London and who were among the ablest and best men in our Navy was disregarded.

In the 1922 conference our naval experts had much to say. In the 1927 conference at Geneva the opinion of our General Board was recognized as being the correct opinion to follow, because it was based on a knowledge of conditions—a knowledge that came from a lifetime of study and practical experience of our able naval experts.

Those men—the experts of our Navy, our General Board—saw what the foreign governments were trying to do to us in 1927 at the Geneva conference. They saw that Great Britain was trying to divide the cruiser category into subcategories in order to prevent our building as many 8-inch-gun cruisers as we needed, and to force on us the acceptance of 6-inch-gun cruisers which we did not want or need, instead of 8-inch-gun cruisers. In the London conference, I think for the first time in our history, our Naval Board, the majority of our best naval opinion, was ignored. Civilian advice, civilian opinion,

was taken in its stead, and the result will be disastrous to our Nation if the treaty in its present form is ratified.

I will refer to a case in the last war where the same thing was done to a large extent, and resulted most disastrously. I refer to the Dardanelles campaign.

It was begun at the insistence of Mr. Churchill, against the advice of Admiral Fisher, the First Sea Lord of the Admiralty. The controversy became so acute that the matter was referred to the Prime Minister and a conference held in which Churchill and Fisher each stated his views. The Prime Minister decided in favor of Churchill and in favor of the Dardanelles campaign. At the subsequent meeting of the war council Admiral Fisher started to leave, intending to resign on account of the Dardanelles procedure. He was persuaded by Lord Kitchener not to resign.

The idea of attacking the Dardanelles originated in the desire of the British to do something to assist the Russians, who had been hard pressed on land.

British naval and army opinion both condemned an unsupported naval attack on forts or guns mounted ashore and had prevented Churchill's first proposed attack on the Dardanelles, but Russia's extremity gave the sanguine Churchill a new opportunity. In January, 1915, he cabled to the commander in chief of fleet at the Dardanelles inquiring whether they could be forced by ships alone. The admiral replied that the straits could not be rushed but might be forced by extended operations.

The only technical advice secured by Churchill on this purely naval attack was a memorandum from Admiral Jackson, obtained after Churchill's first telegram was sent, and which under no construction could be considered as favorable to the enterprise.

The naval officers in the Admiralty were of an opinion generally unfavorable to the project, which was vigorously opposed by Admiral Fisher, the First Sea Lord.

At a meeting of the war council on January 28, the Prime Minister, after hearing Churchill's advocacy of the plan and Fisher's opposition to it, decided in favor of the undertaking. Admiral Fisher, as I said, started to leave the council, intending to resign, but was persuaded to return and reluctantly to associate himself with the project.

There were several preliminary attacks, in which the fleet bombarded the forts of the Dardanelles without doing any considerable damage to the forts and without the fleets suffering any substantial damage.

On March 2 an attempt was made to send fleet landing parties on shore to demolish some of the lesser forts which had been damaged. The landing was supported by the fleet, but the troops were driven back to their boats with considerable loss and without accomplishing their task.

The general want of any substantial progress by the fleet led Mr. Churchill in March to put pressure on the commander in chief to take more risks, in addition to telling Admiral Carden various ways by which the forts could be reduced and the mine fields swept. The admiral agreed to make a more determined attack, which was done on March 18. Of 16 capital ships which began the fight, 3 were sunk and 3 were badly disabled. Some damage was done to the forts also, but not commensurate with the loss sustained by the fleet.

Meantime, upon the advice of Churchill that the fleet would force the Dardanelles, Lord Kitchener, commanding the British military forces, decided to dispatch the Twenty-ninth British Division to the Dardanelles, with the idea that after the fleet had forced the Dardanelles this British division would be needed to capture Constantinople itself. The promise had been obtained of reinforcements of Russian and French troops, and certain other British contingents were provided. Kitchener's general instruction, however, forbade any attempt by the army to assist the navy until the fleet had exhausted every effort to force the Dardanelles.

After extensive preparations, a landing was made by a joint British and French forces on the 23d and 24th of April, in which the British losses alone amounted to 14,000 killed and missing and wounded.

The Allies found themselves with a very precarious foothold on the tip of the Gallipoli Peninsula.

Operations on shore continued intermittently on a large scale during the next eight months. The position was finally evacuated on January 8, 1917.

The British employed over 400,000 men during this campaign. The French employed two divisions.

The British lost 120,000, of whom over 31,000 were killed, nearly 10,000 missing—mostly killed—and 78,000 wounded. The French losses are not known. The Turks lost 218,000 men, of whom 66,000 were killed.

Mr. President, that is a pretty clear illustration of the danger from allowing civilian opinion to override military opinion in military operations. We know the function of the civilian, we know the function of the Federal official, and we know the function of Congress. We know the ability of the officers of our Navy. We know what the Navy has accomplished in years gone by. We know it has not been defeated because the officers of the Navy have been recognized as men of ability and accomplishment, men of courage and determination, men who are better qualified to do the job than any other men in the world. Consequently, our Navy has always stood preeminently as a successful navy in defending our national honor and our national interests.

Mr. President, we have heard much on the relative merits of the 6 and 8 inch gun cruisers. I sat through all of the hearings of the Senate Naval Affairs Committee and heard the testimony of every one of the witnesses. These admirals who had been sneered at and slurred by civilians as men who know so little of the sea, who have seen so little of the sea, have served, as I have said heretofore, from 21 years to over 30 years actually at sea.

Mr. President, those men are our admirals. We are proud of them and of our Navy. We are proud of the men who have made our Navy what it is to-day, and who stand ready to defend us against attacks and against trouble in the future and to give their lives for our country whenever they may be called on.

These two models that have been brought into the Senate Chamber are easy to understand. One is a turret containing 8-inch guns, the other of a turret containing 6-inch guns. Our civilian friends and one or two technical men have told us that the 6-inch gun is equal to the 8-inch gun for ordinary purposes, although the 8-inch gun will outshoot the 6-inch gun by about 5 miles and is over twice as heavy and more deadly.

That is absurd. They tell us that in times of poor visibility, and in night attacks, the 6-inch gun will be as good as the 8-inch gun, if not superior. Any child knows that is not common sense, and that any battle at sea will not necessarily be fought at night or in a time of poor visibility. The officers of the various fleets have pretty good heads, and knowledge of conditions, and they are going to take advantage of conditions as they find them and not be caught unprepared. It is just as logical to argue that the men of the Army should be armed with bows and arrows instead of with rifles, because when they meet the enemy in battle, it might be late at night or in a fog.

We do not fall for such absurd statements. Great Britain won a superiority over us in this treaty because she followed the advice and counsel of her Admiralty, a body of officers composed of the best in her navy. She looks to them for advice. Some of the men outside of the Admiralty have criticized the treaty, but I do not attach any importance to the attacks on this treaty from certain quarters in Great Britain.

The best naval authority in Great Britain is for this treaty. The best naval authority in the United States is against this treaty.

We all want peace. We want conditions created in some manner which will maintain peace, help to develop our commerce, and protect our national interest and prosperity.

Mr. REED. Mr. President, before the Senator leaves that other subject, will he permit a question?

Mr. ODDIE. Yes.

Mr. REED. Does the Senator consider Admiral Jellicoe good naval authority in Great Britain?

Mr. ODDIE. Admiral Jellicoe may be good naval authority, but he was very severely criticized for his conduct of the Battle of Jutland.

Mr. REED. Criticized by Admiral Beatty, was he not?

Mr. ODDIE. Yes.

Mr. REED. Does the Senator consider Admiral Beatty good naval authority in England?

Mr. ODDIE. I consider him very good naval authority, and both of them wonderful men.

Mr. REED. Does the Senator know that both of those admirals have come out against this treaty, saying that Great Britain had surrendered too much to us?

Mr. ODDIE. Mr. President, I do not attach much importance to that opposition to the treaty. I think they may have objected to certain parts of the treaty, but the great majority of the best authorities of the British Navy—

Mr. REED. Excuse me. The Senator said the best naval authority of Great Britain was in favor of this treaty.

Mr. ODDIE. The British Admiralty.

Mr. REED. I am wondering if the Senator does not consider the two admirals I have named at the head of naval authority in Great Britain.

Mr. JOHNSON. Neither one of them is.

The VICE PRESIDENT. The Senator should not interrupt without permission.

Mr. REED. Will the Senator tell us who is at the head?

Mr. JOHNSON. If the Senator from Nevada will yield to me I will tell who is at the head. The British Admiralty is at the head and the British Admiralty recommends this treaty. Neither Jellicoe nor Beatty is part of it.

Mr. REED. Does the Senator consider Lord Bridgeman, who for the last five years—

Mr. JOHNSON. Conceded, if you wish. He is not a part now of the British Admiralty.

Mr. REED. If the Senator will bear with me—

Mr. JOHNSON. I will bear with the Senator, but I will answer him, too.

Mr. REED. But do not answer until I finish asking.

Mr. JOHNSON. I will if I wish.

Mr. REED. The Senator will if he wishes, but I hope the Senator will not wish.

Mr. JOHNSON. I may and I may not.

Mr. REED. The Senator may wish to interrupt my question in the middle, but I will ask it, and ask it in full.

Does not the Senator think that the fact that Lord Bridgeman is opposing this treaty is of some significance, when he was the head of the British Admiralty for five years in the last government?

Mr. JOHNSON. Conceded, if you will. That is a matter of no consequence. The authority in Great Britain of the navy, the official authority, is in favor of this treaty. There is a difference between the opposition in this country and the opposition in Great Britain. In this country the authoritative part of the Navy, the board which is recommendatory in character, and which is akin to the British Admiralty, is opposed. The British Admiralty is in favor. But what difference does it make whether the British of one sort or the Japanese of another sort favor it? The test of this treaty is, What is it to America? And that test is the test which should be put to this as the acid test of the treaty, and upon that the determination of the Senate should be rendered.

Mr. REED. I thank the Senator, because that is what I wanted to say to the Senator from Nevada.

Mr. JOHNSON. I hope the Senator from Pennsylvania would have said it in the same words, with the same vehemence, with the same emphasis, and with the same enthusiasm with which I say it.

Mr. ODDIE. Mr. President, another point which has not been discussed in regard to this treaty is the use of the air forces with the Navy. We know well what our air forces, including our great airplane carriers, the *Saratoga* and the *Lexington*, can do. We know quite well what can be done by the air forces and airplane carriers of other countries. We know that the air forces of other countries are efficient. We know that ours are most efficient.

In regard to the parity question, assuming, as we must assume in discussing the treaty and in discussing the Navy, that there may be a war at some time in the future—although we hope there will not be, and we believe that if we can make our national defense strong enough there will not be—but for illustration, if there should be a war in the Pacific, our fleet, acting as a unit, would not be expected to cross the ocean, nor would the fleet of the opposing country be expected to cross the ocean, except in an emergency. Battles will probably not be fought that way to-day, as was proven in the Great War. Only once was there a real sea battle with a large number of ships on both sides in one battle.

Suppose this war I am assuming may unfortunately occur at some time in the Pacific. We would have to have these large 8-inch-gun cruisers, as has been stated time and again on the floor of the Senate, to protect our commerce and to go over there. With the tremendous increase in the use of airplanes our ships could not get within many miles of the shores of the opposing country without being subjected to air attack from planes not based on carriers but based on the shore. Those planes can operate from the shore. That is a tremendous advantage which Japan would have over the United States in her bases in the western Pacific. The United States surrendered her right to fortify her bases in the western Pacific at the Washington conference in 1922, and in doing so helped to establish the 5-3 ratio with Japan. That has been an established fact a number of years.

Now comes this treaty, and that ratio has been broken. What have we received in return? Nothing that we know of that is adequate compensation for what we have given. If we carry this thing to a conclusion and analyze it, as we will do later, we will find that we have given up far more than has been given to us in return.

A question of principle is involved, and the question of maintaining our naval policy which we have maintained since the days of Washington. The question of the protection of our national defense and of our sea-going commerce is involved.

I have gone into detail this afternoon, I have taken much time of the Senate, but I wanted to bring these things before the Senate in detail to show the importance of maintaining a strong merchant marine and a strong, adequate Navy for its protection. Such a Navy we will not have if this treaty is ratified in its present form.

Mr. FESS. Mr. President, William R. Castle, Assistant Secretary of State, made an address the other evening to the Union League Club, of Chicago. Having only recently come from Japan, he makes some very illuminating observations upon the treaty. I ask unanimous consent to have it printed in the RECORD.

Mr. JOHNSON. Mr. President, I do not care to object until I make inquiry. Is this the speech in which Mr. Castle assailed the United States Senate?

Mr. FESS. I have read the speech. I do not think he has assailed the United States Senate.

Mr. JOHNSON. I have not read it, but I was told that he made a speech of that sort in Chicago. Is this a speech which was made in Chicago to the Union League Club by Mr. Castle as Assistant Secretary of State, in which he indulged in strictures on the United States Senate? I have only been told that; I am not familiar with it.

Mr. FESS. I have not seen any strictures on the Senate in it. Mr. JOHNSON. I make no objection to the request.

Mr. McKELLAR. Mr. President, before permission is granted, if there is any chance that the speech contains an attack on the Senate, will not the Senator from Ohio examine it and see? He can have it put into the RECORD just as well to-morrow.

Mr. FESS. I suppose some statements might appear to some persons to be an attack which I myself would not think were an attack.

Mr. McKELLAR. That is all right; I have no objection to the request.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

INVASION OF UNITED STATES BY JAPAN IS TERMED "IMAGINARY" BY MR. CASTLE—ASSISTANT SECRETARY OF STATE DECLARES ISLAND EMPIRE LARGELY DEPENDS ON AMERICA FOR HER EXPORT AND IMPORT BUSINESS AND WAR WOULD BE HER RUIN

CHICAGO, ILL., July 11.—The duty of naval officers is not to warn the country of danger but to meet a danger when it arises, the Assistant Secretary of State, William R. Castle, Jr., informed the Union League Club, of Chicago, on July 11, during the course of an address on the London naval treaty.

Therefore, Mr. Castle continued, the Navy should "meet the good will of others by cutting down instead of building up its forces," when civilians in charge of foreign affairs decide that the world outlook is peaceful.

Mr. Castle also described in detail the position of Japan in regard to naval limitation, saying that there is a continual Japanese fear that the United States might attack Japan because of some disagreement, for example, over China.

"It amazed me," Mr. Castle said, "to find the antitreaty people still harping on the Japanese bogie. Japan could hardly live except for her exports to America, amounting to nearly \$400,000,000. She imports from us nearly \$300,000,000 worth and depends on America for the cotton which she manufactures and reexports to China."

Mr. Castle's address follows in full text:

JAPANESE ATTITUDE TOWARD TREATY CITED

"It would be futile at a meeting of this kind for me to try to analyze step by step the various provisions of the London treaty. I think you all know in general what they are and I am sure that your particular attention has been called to the phases of the treaty on which its opponents base their opposition. I want to speak of these aspects because it seems to me very easy to show that they are not only not terrible for this country, as the opponents of the treaty make out, but that they actually are a good part of a whole which is of high value to the United States.

"Furthermore, since the President sent me to Japan to watch the development of sentiment there with regard to the treaty, I shall pay particular attention to the Japanese angle for the reason that it is the one I perhaps understand best, and for the added reason that many enemies of the treaty have built up out of their imagination a strange menace in the Far East, which menace actually is nonexistent.

"One thing I hope you will remember at the start, that those who denounce the treaty denounce it in the same terms, whether they happen to live in the United States, in England, or in Japan. It would be easy to take the exact words of Mr. Bridgeman in London, or of Admiral Kato in Japan, and by merely substituting the words 'United

States' for the words 'England' or 'Japan' make their speeches appear to have been pronouncements of one of the antitreaty admirals or of Senator JOHNSON himself.

"When the radio conference finished in Washington a couple of years ago everybody was satisfied with the result. I remember that at the time the President, who was then Secretary of Commerce, made the remark that the only treaty which could ever be negotiated that would satisfy everybody was a scientific treaty that had no political angle. A naval treaty is not of this type. Considerations other than technical must be taken into account. In the case of the London treaty, all had to make some concessions from the maximum originally demanded. The result was a treaty eminently fair to all, but in spite of that there are, in all three nations, noisy minorities which denounce certain aspects of the treaty because it does not quite fulfill the maximum desires of their respective naval boards. If in any one country there had been universal acclaim and anger, in the other two we should have to admit that the treaty was not fair.

OPponents BELIEVED SMALL MINORITY

"I firmly believe, however, that this minority is very small because it is impossible here in America, for example, for me to feel that anyone can honestly believe that such a group of men as made up the American delegation could possibly have betrayed their country. The Secretary of State was a colonel in active service in the World War, had been Secretary of War and Governor General of the Philippines; Senator REED was in some of the hardest fighting at the front. You all know, here in Chicago, the magnificent work that was done in the war by General Dawes. You know also, whether they were in the war or not, the patriotism of men like Senator ROBINSON, the staunchly patriotic leader of the Democratic side of the Senate; of Ambassador Morrow, who has for so long upheld American rights in Mexico; of Hugh Gibson, who is one of our able diplomats who has spent his life working for America; and of Charles Adams, Secretary of the Navy, whose family has from the beginning of our history been among its strongest and most militant patriots.

"Men like these went to London for the purpose of working earnestly for the good of their country, and if it is foolish to accuse them of lack of patriotism, it is equally nonsense to say that men of their mentality were tricked by the members of the other delegations. The treaty they secured is a treaty which insures the safety of this country, which will enable us to build up our Navy to be equal of any in the world, which will make us supreme in our own waters.

"You have heard a good deal about the fact that the Navy wanted twenty-one 10,000-ton 8-inch-gun cruisers, and that our delegation agreed on only 18. This, in fact, is the very center of all the opposition. In other words, the opponents of the treaty would refuse ratification because, in a total Navy of well over 1,000,000 tons, we have agreed to arm with 6-inch instead of 8-inch guns 30,000 tons of cruisers. During the early discussions, while the delegation was making up its program, some of the Navy men had a great deal to say about our need for 10,000-ton cruisers because of their greater radius of action.

"This was the one undisputed claim for the superiority of 10,000-ton cruisers, because there was in the Navy itself disagreement as to whether a quick-firing 6-inch gun might not be superior to the slow-firing 8-inch gun. Of course, the range of the 8-inch gun is greater, but everyone admits that under 20,000 yards the 6-inch is equally effective in piercing armament. At a range greater than that the only possibility of action is by means of range findings given by airplanes, and the fact remains that in the history of the naval warfare there has never been any effective work at a range greater than 20,000 yards.

ADMIRAL PRATT ADVOCATE OF TREATY

"The commander in chief of the American fleet himself believes that a proper proportion of 6-inch-gun ships makes a better battle fleet, and that for the Navy eighteen 8-inch-gun cruisers is a better proportion than more. Admiral Pratt, a thoroughly practical, forward-looking officer, is 100 per cent for the treaty. If our delegates had been unable to overcome the objection of other nations to permit the building of 6-inch-gun cruisers up to 10,000 tons; if, in other words, we had been confined to 6,000-ton cruisers, there might have been an argument.

"It might have been possible to say that the United States was being forced to build ships it did not need. As it is, this argument falls to the ground completely. We wanted cruisers with a large radius of action to protect our commerce. We have exactly what we wanted, and the only point at issue is that some of the officers of the Navy would have preferred that three of these ships have 8-inch instead of 6-inch guns. We wanted parity with Great Britain. When the treaty program is completed we shall have that parity, so far as it is humanly possible to estimate parity, in fighting strength of cruisers. If we want to have actual ton-for-ton parity, we can have even this by building fewer 8-inch-gun cruisers.

"The reason that I have dwelt on this aspect of the matter is that it has been exaggerated by the enemies of the treaty into a threat to our national safety, whereas it is, in reality, something of extreme unimportance. The very fact that it has been made the center of the antitreaty fight proves how hard put its opponents are to find any arguments.

"Honestly, can you imagine anything more short-sighted, more futile, than to advocate the rejection of a treaty which will have great effect in the improvement of international relations, in lessening our burden of taxes, which at the same time gives us the Navy we need, because 30,000 tons of cruisers are to be armed with guns of smaller caliber than some of our naval men think would be ideal?"

VARIOUS OPINIONS OF PEOPLE CITED

"There are, of course, people who dislike the idea of any kind of naval limitation at all. They are people who would like to build and build until we could not only oppose the navy of one country but the navies of several countries combined. I should sympathize with them, in spite of the crushing burden of taxation, if the world were itching for war; but if anything is true, it is true that we have built up gradually and consistently in the past years a will for peace. We must have a navy, an adequate navy, because some nation might go mad; but one of the best ways to prevent madness is to put a prompt stop to competitive building, which the whole world knows is one of the greatest incentives to war.

"Many people feel that trained naval men, who have devoted their lives to a study of the Navy, should have the decisive say in the strength of the Navy. These same people forget that our own naval men, as well as those of Great Britain and Japan, do not agree themselves on the actual needs of the Navy. They also forget that since these men are specialists their picture is necessarily limited.

"In a speech in Tokyo just before leaving I discussed this matter at some length, pointing out that, although naval officers are among the most loyal citizens of all countries, their vision, because of their training, is necessarily limited to the technical aspects of the Navy. It is the place of those in charge of the foreign affairs of a country to notify the naval authorities if there seems danger of trouble in any part of the world which might affect the country.

"With such a warning it is the duty of the Navy to meet the danger. Equally, if this is true, it is the duty of those in charge of foreign affairs to notify the Navy that the outlook is peaceful, that there is no sign of an attempt to build up a force which will attack the country, and that, therefore, the Navy should meet the good will of others by cutting down instead of building up its forces. After all, it is three centuries since, among Anglo-Saxon people, the responsibility for the affairs of the Nation was assumed by civilians in distinction to the military.

"In the United States the Navy must get authorization from Congress for any building program and must prove to Congress the necessity of this program. The acceptance or refusal lies always in the hands of the civilians. Certainly we have not reached the stage of panic when we shall turn our backs on that wise tradition and confide the conduct of foreign relations to the military.

"It was much harder for Japan frankly to accept the fact of civilian control because you must remember that Japan was recently a feudal country, that it has an international history of only 75 years. Perhaps for Japan, also, the acceptance of this treaty will make it clear that there, as well as in America, civilians should have the final say in the conduct of the nation.

PARITY WITH ENGLAND SO FAR AS POSSIBLE

"The London treaty has undoubtedly achieved parity with Great Britain in so far as that is possible. The British big-navy people claim that it is completely a surrender to America and that Great Britain gets not equality, but inferiority. So far as Japan is concerned, the question of parity was not raised. Japan wants a navy capable of defending its own shores.

"We must never forget that it is an island empire, 5,000 miles away from our own western coast. It has a population of some 59,000,000 people, progressive, patriotic, proud of their history and of their adaptation of western methods to their own needs during the last few years. Japan is not self-supporting like the United States. There is not enough agricultural land to support the population. Its life depends on foreign trade, on the possibility of uninterrupted export and import.

"To assure national security Japan, therefore, feels itself peculiarly dependent on an adequate navy. In time of war it must be able to keep open communication with the mainland of Asia in order to assure its food supply, and until the possibility of war is entirely eliminated this will be a *sine qua non* of Japanese naval policy. I doubt whether there are any thinking Americans who would dispute the reasonableness of the thesis.

"When I reached Japan I found that the Japanese demand for a 10-7 ratio in auxiliary vessels, particularly for that ratio in 8-inch-gun cruisers, had been made, through extensive newspaper propaganda, the ardent demand of the entire nation. Almost equally vigorous was the demand for 78,000 tons of submarines, although in this case Japan was not worried about a ratio, being willing that we should build a million tons if we so desired. The opponents of the treaty have tried to show that Japan was unfair in demanding this ratio, since the Washington treaty set the ratio at 10-6.

"Those who know anything of the Washington treaty know that that ratio concerned only capital ships and aircraft carriers, and that

even at that time Japan desired a larger ratio in auxiliary ships. No decision was reached as to the limitation of any auxiliary ships and Japan was not acting unfairly in asking a higher ratio.

"It looked at one time in London as though the conference might fail because of Japan's insistence on her demands, but when acquiescence to those demands was clearly impossible the Japanese matched the United States and Great Britain in concessions to bring success.

AGREEMENT TERMED FAIR TO BOTH SIDES

"The private and informal discussions between Senator REED and Mr. Matsudaira resulted in an agreement which was fair to both sides. Even so, Japan felt that her concessions were incomparably greater than ours, and I accord high honor to those Japanese statesmen who were able and willing to balance good will against tonnage. Some of the Japanese admirals bitterly opposed the agreement, and if they still believe that the original demands made by Japan were the minimum necessary for defense they have a far better case to put before the public than have our own admirals who worry about the caliber of guns on three ships.

"Throughout the negotiations Japan had the American Navy in view. There was continual fear that we might attack because of some disagreement—for example, over China. It was my duty to try to build up an appreciation of the real friendliness of our country. It is amazing to me, once more at home in Washington, to find the antitreaty people still harping on the Japanese bogey. Japan could hardly live except for her exports to America, amounting to nearly \$400,000,000. She imports from us nearly \$300,000,000 worth and depends on America for the cotton which she manufactures and reexports to China.

"War with America, which would be serious for us, would be ruin for Japan. We have, of course, had disagreements in the past, and we have not always been right. In spite of this, however, the real friendship that Japan has had for this country ever since we helped the Japanese to meet their first world problems has never been broken. I was impressed all the time that I was there by the fact that Japan looks to us for so much that makes life worth while that Japan considers us, perhaps ahead of all nations, a friend on whom she must depend.

"I remember that one day a correspondent asked Baron Shidehara, the foreign minister, whether it was true that there was fear in America that Japan might attack the Philippines. He answered that I had told him that there were people in America who felt just this, and then he pointed out that, of course, it was exceedingly difficult for any Japanese to understand this fear, since, although they might have initial success, war would only mean eventual ruin.

TREATY BELIEVED TO GIVE JAPAN SECURITY

"The treaty, I believe, gives Japan security in its own waters, as it gives us security in our waters. Surely nobody of peaceful intent is going to object to that, and surely no one who knows anything of naval affairs can have the slightest fear of Japanese attack on this country.

"Let us look for a moment at the situation with regard to the different navies before the London conference. After the Washington conference, which did not limit the strength of auxiliary vessels, Great Britain and Japan built largely in these unrestricted types. The United States lagged far behind. As a result, when our delegation went to London we had in commission 80,000 tons of cruisers, whereas the British had 327,000 tons, or four times what we had. The Japanese had 166,000 tons, or twice what we had.

"It is interesting to see in the cruiser class, which is the most important, what the treaty accomplishes for the United States. During the next few years we shall build large cruisers until at the time of the next conference we shall have 16 completed and 2 under way. During the same time Great Britain must scrap 4 of her 19 large cruisers and Japan will stand absolutely still. In these cruisers, then, we shall have more than parity with Great Britain and a 5-3 ratio with Japan. In small cruisers we now have 10, Japan 21, and Great Britain 29. Under the terms of the treaty the British again scrap 4, Japan builds nothing, and the United States is permitted to double its number. How anyone, under these circumstances, can say that the American delegation surrendered American rights is very difficult to understand.

"The London conference did not change the ratio in capital ships which was established by the Washington treaty. It merely made this ratio effective now instead of in 1942. This is done by scrapping 5 for Great Britain, 3 for the United States, and 1 for Japan. The ships which we scrap are older than those of Great Britain and Japan. How anyone can claim that this jeopardizes our safety I do not know, but I assure you that some of our admirals say it and that some of the British admirals are even more vehement in their prophecies of disaster to Great Britain. In his admirable and lucid speech in the Senate this week Senator SWANSON made a delightfully humorous suggestion. He said he would like to hear the treaty discussed by the opposition admirals in the three countries because he would like to hear them persuade each other that the treaty meant ruin for all three countries.

"There are those who say there is no economy in the treaty. Certainly there is not to the pacifist who wants no navy at all, but to the man who wants a strong, well-balanced navy, fully adequate for defensive purposes, there is obvious economy in a sane program which

avoids all the extravagance of competition. If we want parity with Great Britain and a reasonable ratio with Japan what more can we ask than that these two nations shall stand still until we catch up? The extension of the life of battleships saves us \$400,000,000 immediately and the reduction of the British cruiser demand from 70 to 50 saves incalculable money if we planned to build up to Great Britain.

"The Navy Department thinks in terms of war. The Department of State thinks in terms of peace. The President and Congress combine the two and add thought for economy. All points of view were represented in the making of this treaty, and only a prejudiced man can see anything but good in its adoption.

"In closing let us look at this treaty for a moment from a higher point of view than the technical or even the economic. It is one more great step in the progress of the nations toward the permanent establishment of peace. It puts an end to a most dangerous competition—that in naval armament. When the three great naval nations of the world agree on this we need not fear any others. It proves the trust which Japan and England have in us that they are willing to stand still until we build up to their level.

"It makes each nation dominant in its own waters and, therefore, gives each a sense of perfect security. It prevents any possibility of arrogant superiority on the part of any one nation, but gives to all three a sense of self-respect and dignity. I look at its results instinctively from the point of view of the Department of State. I see better international feeling, better international understanding.

"I see the little misunderstandings between Great Britain and this country approached in a finer spirit because of the growth of respect and confidence in each other's purposes. I see the same result with that fine and progressive people across the Pacific, a real friendship through understanding that means peace and orderly development.

"The thinking men and women of this country are back of the treaty, and I am sure they will not permit the great benefits that will flow from it to be jeopardized by any specious arguments. It is a great step forward in the orderly limitation of all armament, which is one of the guarantees of peace."

RIVERS AND HARBORS

Mr. JONES. Mr. President, I ask, as in legislative session, to have printed in the RECORD a statement by the President with respect to the river and harbor bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

It was with particular satisfaction that I signed the rivers and harbors bill, as it represents the final authorization of the engineering work by which we construct and coordinate our great systems of waterways and harbors, which I have advocated for over five years; it was promised in the last campaign and in my recommendations to Congress.

We can now build the many remaining segments of a definite canalization of our river systems, through which modern barge trains of 10,000 to 15,000 tons of burden can operate systematically through the mid-west and to the Gulf of Mexico, and through the Lakes to the Atlantic. The system when completed will have 12,000 miles of waterways and will give waterway connection between such great cities as New Orleans, Memphis, Knoxville, Chattanooga, St. Louis, Kansas City, Omaha, and Sioux City, Keokuk, Minneapolis, St. Paul, Chicago, Evansville, Cincinnati, Wheeling, and Pittsburgh. Through the Great Lakes and the Erie Canal many of these points will have access to central New York and the Atlantic. By its authorization for deepening of Lake channels we shall support the present commerce of the Great Lakes and make preparation for ocean shipping by the ultimate deepening of the St. Lawrence. It authorizes numerous improvements in our harbors.

It is a long-view plan for the future. It will require many years to complete its construction. I do not propose that we should proceed in a haphazard manner but that we should approach the problem on sound engineering lines, completing the main trunk systems and gradually extending the work outward along the lateral rivers.

Some of the items authorized have not yet been recommended by the engineers and, of course, they will not be undertaken unless they are so recommended.

The bill does not call for any increase in the Budget for this fiscal year, the appropriations having been provided by which work will be pushed at all available points in assistance to the temporary unemployment situation.

I have, in cooperation with Secretary Hurley, established during the past year a new organization for the conduct of these works. In this organization we have created under Gen. Lytle Brown eight separate divisions, headed by responsible directing engineers, as follows:

Great Lakes division, Col. E. M. Markham; upper Mississippi Valley, Lieut. Col. G. S. Spaulding; lower Mississippi Valley, Brig. Gen. T. H. Jackson; North Atlantic division, Col. W. J. Borden; South Atlantic division, Col. H. B. Ferguson; Gulf division, Lieut. Col. Mark Brook; North Pacific division, Col. G. Sukesli; South Pacific division, Lieut. Col. T. M. Robins.

In aggregate, this inland waterway undertaking represents a larger project than even the Panama Canal. It will provide employment for

thousands of men. It should be fruitful of decreased transportation charges on bulk goods, should bring great benefits to our farms and to our industries. It should result in a better distribution of population away from the congested centers.

THE MERCHANT MARINE

Mr. McKELLAR. Mr. President, I ask to have printed in the RECORD an article on the Jones-White Act, which appeared in the New York Journal of Commerce of Monday, July 7, 1930, and an editorial of July 8, 1930.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the New York Journal of Commerce, Monday, July 7, 1930]

JONES-WHITE ACT APPLIED AS SUBSIDY, NICHOLSON CHARGES—FORMER SHIPPING BOARD COUNSEL IN PAMPHLET ATTACKS MAIL PROVISION AWARDS—REPORT BEING PRINTED AS SENATE DOCUMENT—McKELLAR TO MAKE ANALYSIS AVAILABLE—"AMAZING AWARDS" SEEN BLOW TO FUTURE AID

WASHINGTON, July 6.—Criticizing the administration of the Jones-White Merchant Marine Act as a subsidy, John Nicholson, former counsel to the committee on legislation of the Shipping Board, declared the law was not framed to function as such.

In attacking the "amazing awards" made by administrative agents to private American steamship companies, under mail provisions of the legislation, Nicholson contends that the text of the law reveals no intent that it shall be applied as a ship subsidy. Nicholson's views are set forth in a pamphlet published and circulated by him with the hope that it may have a part in securing to American shipping in foreign trade "a proper form of subsidy, fair to all, and therefore one which may be relied on as permanent."

The pamphlet, first published in March last, is being printed as a Senate document at the request of Senator KENNETH McKELLAR, Democrat, of Tennessee, and 220 copies of it will be available in the Senate document room early this week. It is entitled "The Truth About the Postal Contracts Under Title IV, Merchant Marine Act, 1928, and Its Application as a Subsidy to Shipping," and purports to give "a revelation of facts and an analysis of policies costing the United States hundreds of millions of dollars."

FAVORS AUTHORIZED SUBSIDIES

"These criticisms," Nicholson wrote, "are by one who favors proper subsidies, properly authorized and properly administered," and are prompted by the belief that unless the present law is radically changed, it will be repealed under circumstances which will make a revival of Government aid merchant shipping "very difficult, for many years to come." In giving his qualifications for making the analysis, the former Shipping Board employee explains that the study and development of many activities of the board having in view Government aid, in various ways, to privately owned and operated American shipping, came under his supervision during his eight years of work.

After listing the amounts of compensation authorized under the various existing 10-year ocean mail contracts, Nicholson harks back to the days of Senators Frye, of Maine, and Mark Hanna, of Ohio, for guidance toward "a remedy" perpetuating a subsidy for American shipping. Details of the mail contracts outlined in the Nicholson pamphlet, along with other pertinent information bearing on the awards, were read into the CONGRESSIONAL RECORD by Senator McKELLAR and Representative LA GUARDIA, Republican, of New York, during their respective attacks upon the administration of the shipping law in the Senate and House in the session just adjourned.

DEPLORES "CAMOUFLAGE" IN CONTRACTS

"There is a constructive remedy," Nicholson declared, in that chapter of his work reviewing the efforts of Senators Frye and Hanna. "If a subsidy is intended, then let it be administered as a subsidy, and no longer under camouflage of postal contracts, permitting and promoting the violation of fundamental rights of citizens to share equally in all oppositions tendered by their Government."

In an earlier chapter the pamphlet points out that, "Ship subsidies are an extension of the protective-tariff system; it is justified by similar economic conditions, and legal requirements relative to the operation of vessels further augment the handicap."

"Among the normal economic items," it continues, "are the facts that it costs much more to build a vessel in the United States than in foreign yards; also, the wages paid the crew are higher. The legal handicap mentioned results from our seamen's laws. As a result the cost of operating a vessel under the American flag is greater than operating a similar vessel under a foreign flag."

"We refer to these differences in the aggregate as the handicap of the American vessel when in competition with foreign vessels. A subsidy, therefore, should not be awarded vessels operating in coastwise trade, including, of course, our intracoastal trade, as foreign vessels are not permitted by law to operate on those routes."

SETS LIMIT FOR SUBSIDY

Before discussing the "remedies" proposed by the Frye-Hanna plan, Nicholson stresses that "the most ardent advocate of a ship subsidy

would not expect the enactment of a law which would yield to any vessel of any line a subsidy greater than the sum of these items: (a) The operating deficits; (b) a proper annual deduction for depreciation in value of the vessels; (c) reasonable interest or dividend on the money invested."

When the "compensation" is greater than these, he wrote, the excess is not a subsidy in a normal sense—"It is a gift from the public treasury."

"The Frye-Hanna formula," Nicholson continued, "provided aid for all vessels above a minimum fixed by the law itself, and the factors entering the computation were all constructive. They would have encouraged larger vessels, as and when needed, for the greater the tonnage the greater the total compensation."

FORMULA WOULD HAVE SPEEDED SHIPS

He contrasted the Senators' plan with one of the mail contracts awarded under existing law, under which a motor boat "may be used and receive the same total compensation as an ocean vessel twenty times its size." Their formula, he contended, would also have encouraged faster vessels, as higher rates were provided for higher speeds.

"Under the Frye-Hanna concepts the primary responsibility of the executive department would have related to the applicant's proof of his coming within the requirements of the law, and the preparation of suitable contracts to cover the particular case," he held. "There would have been no opportunity for favoritism or for monopolistic bidding, and the principle that the rights of citizens would have been ascertainable from the law, and not dependent on the pleasure or good will of administrative agents, would have been conserved."

CHARGES PERIOD OF FAVORITISM

Citing a senatorial debate on the immigration bill to show that the American people regard as fundamental government by laws and not by the will or discretion of men, Nicholson asserts that things done under the 1928 postal contracts law, "that is to say, some of the things done under that law, are, if legal, in serious conflict" with this principle.

"For there was a period," he recalled, "prior to March 4, 1929, of amazing personal control and favoritism in the award of these contracts."

"An illustration of this has been the view of the United States Shipping Board that preference should be given bids from persons who had been operators for the board of the lines involved, both on the sale of the line and in the award of a postal contract for the route."

"This preferential treatment," he continued, "is not only not required by the merchant marine act of 1920 but nothing whatever in that act justifies such a course. It is a policy which conflicts with fundamental rules applying to fiduciaries; it amounts to an option in favor of the agent, and is, therefore, not only a discrimination in favor of one citizen over another but violates the wise provision of law prohibiting the grant of options on Government property."

SOME OF PRACTICES CORRECTED

"Its evil is aggravated by the practice which has been applied in some instances of permitting the agent, after the bids have been received and published, to increase his bid and thus eliminate another higher and otherwise acceptable bidder."

Fortunately some of these practices have been corrected by the new administration, said Nicholson, in quoting a statement of Postmaster General Brown, as follows:

"I am not so clear that the preference should be given merely because an operator has operated the line heretofore. For the Government to say to some operator, 'You saw this first and therefore you have a prescriptive right; that is yours and we are going to coddle you, notwithstanding that somebody else is willing to furnish a better service at less expense, we are going to give this to you.' I personally question the sound public policy of it."

This question discussed by the Postmaster General involved in the projected sale of the American Diamond and America-France Lines, operated, respectively, by the Black Diamond Steamship Co. and the Cosmopolitan Shipping Co. The United States Lines, owners and operators of the former Shipping Board trans-Atlantic passenger fleet, offered the high bid for the two freight lines as a combined service.

[From the Journal of Commerce and Commercial, Tuesday, July 8, 1930]

BACKDOOR SHIPPING SUBSIDIES

A former counsel of the committee on legislation of the Shipping Board has published a discussion which he entitles "The Truth About the Cost of Contracts Under . . . the Merchant Marine Act." What he there says has interested the Senate so much that the latter has ordered it reprinted, in order the better to bring the facts as stated to the attention of the legislative body. These facts, however, are of such a nature that they ought to receive the attention of the entire American public, especially at a time when the volume of water-borne, and especially of foreign, trade has not only fallen off but is being severely attacked by the adoption of our present tariff measure. We may well ask why we should subsidize ships either directly or indirectly if we have no intention of getting trade for them.

Let this be as it may, the discussion in question deserves careful analysis on its own account as a study of administrative method. Its

main point as set forth in current dispatches is a criticism of the "amazing awards" made to steamship companies under the mail provisions of the merchant marine act with the apparent idea of subsidizing the building of ships. The text of the law, according to this commentator, indicates no intention to make it a general subsidy measure, and its use as such is merely a backdoor way of bestowing subsidies upon favorites. Mr. Nicholson is, according to his own account, an advocate of properly authorized subsidies for shipping, so that he does not quarrel with the idea of subventions to American tonnage. What he does complain of is the improper and irregular use of the ocean mail contract provisions for the purpose of building up fleets of vessels operated by favorite companies or individuals. According to him, it is one of the "fundamental rights of citizens to share equally in all opportunities tendered by their Government." But this is the reverse of what is being done.

Now that the matter is definitely before the Senate it is to be hoped that this whole question will be thoroughly investigated, with a view of finding out precisely what basis there is for these charges. Mr. Nicholson does not stand alone in making them, but there has been continuous complaint for a long time past, both in and out of Congress, because of the way in which the mail-contract provisions of the present law are being applied. Within the past few weeks an episode which has seemed to give much basis for these complaints has been furnished in the apparent efforts of the administration to favor low bidders instead of high ones in the sale of Shipping Board vessels. The Journal of Commerce not long ago editorially reviewed the history of this episode, showing how the making of an award had been avoided for a long period of months, and was now being still further postponed through the appointment of a committee of "outstanding men" to pass upon recent bids for vessels, notwithstanding there was nothing at issue except ability to pay the agreed price.

Mr. Nicholson in his discussion of the mail contracts refers to the same kind of favoritism, and criticizes the notion of the Shipping Board that "preference should be given bids from persons who have been operators for the board of the lines involved, both on the sale of the line and in the award of a postal contract for the route." He points out that the plan in question is "not only a discrimination in favor of one citizen over another, but violates the wise provision of law prohibiting the grant of options on Government property." While some of the bad practices complained of have, according to Mr. Nicholson, been corrected under the present administration, others have not; and indeed the episode just referred to in relation to the sale of ships shows these practices in their worst form.

There can be no doubt that our shipping and mail contract laws are being badly administered and are being used in a way to promote the interests of special favorites who want to buy ships cheap or get exorbitant postal contracts, which will enable them to make a profit out of vessels that could not otherwise pay running expenses. As things stand, a motor boat "may be used and receive the same total compensation as an ocean vessel twenty times its size." Unquestionably it is true, as alleged, that continuation of the present conditions as to selling ships and paying mail subsidies will before very long become as noisome as to compel attention to the situation and to make it essential to revise the law in the interest of ordinary honesty.

It is to the interest of the shipping trade above all to have the present practices stopped. As for the community at large, it can not be expected to tolerate prevailing political and personal favoritism such as appears to prevail in this branch of Government management.

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. REED obtained the floor.

Mr. BORAH. Mr. President, is the Senator taking the floor to make a speech?

Mr. REED. Yes. I prefer to make it to-morrow morning, but I will go ahead now if that is desired.

RECESS

Mr. BORAH. I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 55 minutes p. m.) took a recess until to-morrow, Tuesday, July 15, 1930, at 11 o'clock a. m.

SENATE

TUESDAY, July 15, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

JOHN J. BLAINE, a Senator from the State of Wisconsin, and ROBERT F. WAGNER, a Senator from the State of New York, appeared in their seats to-day.

NAMING A PRESIDING OFFICER

The Chief Clerk read the following communication:

WASHINGTON, D. C., July 15, 1930.

To the Senate:

Being temporarily absent from the Senate I appoint Hon. SIMON D. FESS, a Senator from the State of Ohio, to perform the duties of the Chair this legislative day.

GEORGE H. MOSES,
President pro tempore.

Mr. FESS thereupon took the chair as Presiding Officer.

CALL OF THE ROLL

Mr. WATSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Goldsborough	McMaster	Shortridge
Bingham	Gould	McNary	Smoot
Black	Greene	Metcalf	Stephens
Blaine	Hale	Norris	Sullivan
Borah	Harris	Oddie	Swanson
Capper	Harrison	Overman	Thomas, Idaho
Caraway	Hastings	Patterson	Thomas, Okla.
Copeland	Hubert	Phipps	Townsend
Couzens	Johnson	Pine	Trammell
Fale	Jones	Pittman	Vandenberg
Fencken	Keap	Reed	Wagner
Fess	Kendrick	Robinson, Ark.	Walcott
George	Keyes	Robinson, Ind.	Walsh, Mass.
Gillett	La Follette	Robison, Ky.	Walsh, Mont.
Glenn	McKellar	Sheppard	Watson

Mr. KEYES. I desire to announce that my colleague the senior Senator from New Hampshire [Mr. MOSES] is absent from the Senate on account of the death of his mother. I ask that this announcement may stand for the day.

Mr. NORRIS. I desire to announce that my colleague the junior Senator from Nebraska [Mr. HOWELL] is absent from the Senate on account of illness in his family. I ask that this announcement may stand for the day.

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORRICK] is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASE] are detained from the Senate by illness in their families.

I also announce that the Senator from Arizona [Mr. ASHURST], the Senator from Maryland [Mr. TYDINGS], the Senator from TEXAS [Mr. CONNALLY], and the Senator from Kentucky [Mr. BARKLEY] are absent on official business, attending sessions of the Interparliamentary Union in London.

Mr. SWANSON. My colleague the junior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. WATSON. I desire to announce that the junior Senator from North Dakota [Mr. NYE] is detained on business of the Senate, attending sessions of the special committee to investigate campaign expenditures. I will let this announcement stand for the day.

The PRESIDING OFFICER. Sixty Senators having answered to their names, a quorum is present.

PERSONAL EXPLANATION

Mr. COPELAND. Mr. President, for the purpose of the permanent Record and also that my "batting average" may be maintained, I wish to state that in spite of the showing in the RECORD I was upon the floor of the Senate much of the day on yesterday.

INVESTIGATION BY TARIFF COMMISSION—LUMBER

Mr. McNARY. Mr. President, as in legislative session, I desire to submit a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The clerk will read the resolution for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 321), as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of

1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Lumber and timber of fir, spruce, pine, hemlock, or larch.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. ROBINSON of Arkansas. Let the resolution go over.

The PRESIDING OFFICER. The resolution will go over under the rule.

INVESTIGATION BY TARIFF COMMISSION—PIMIENTOS

As in legislative session,

Mr. GEORGE submitted the following resolution (S. Res. 322), which was ordered to lie over under the rule:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles or products and of any like or similar foreign articles or products: Pimientos and pimientos whole, cut and/or uncut, packed in brine or in oil, or prepared or preserved in any manner.

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. BINGHAM presented the following telegram, which was ordered to lie on the table and to be printed in the RECORD:

STAMFORD, CONN., July 14, 1930.

Senator HIRAM BINGHAM,

Washington, D. C.:

Connecticut Department, Reserve Officers' Association, urges London naval pact be not ratified in a rush. Ask time enough be given to its discussion for country to get thorough understanding of all parts. National defense is nonpartisan matter. Proponents and opponents of treaty found in both parties. Competent American naval authorities overwhelmingly against pact. Competent political authorities so seriously divided as to necessitate careful examination of all facts. No business man signs important contract without thoroughly understanding all its terms. Why should Nation not do same, particularly as other powers concerned are not rushing their ratification?

Lieut. SYDNEY C. PERRELL,

Secretary Connecticut Department, Reserve Officers' Association.

Mr. REED. Mr. President, I am going to try to make my remarks as brief as possible, and, if possible, to speak for not more than an hour. In order that there may be some sequence to what I say, and for the benefit of those who do me the honor of listening, I am going to ask that I be not interrupted. When I shall have finished what I have to say I shall be glad to answer any questions whatsoever.

Mr. President, it is impossible to discuss this subject without differing in opinion from a large body of naval officers. That is inevitable, because the advice which we have had from naval officers has been so varied, and they have disagreed in opinion among themselves so much, that whatever was the conclusion of the American delegation it was bound to run counter to the advice of some of the American experts with whom we took counsel. But I want to say at the very outset that I think every member of the delegation finished his work with a strong regard and admiration for the officers of the American Navy as a group, and when it was necessary to disagree in opinion with some of them it was done respectfully and is still done respectfully.

For such officers as Admiral Jones and Admiral Pringle, who disagreed with our conclusion, I personally, and, I think, my associates on the delegation, have nothing but an admiring regard, and I believe they feel that the disagreement was an honest disagreement on our part, after a patient hearing of both sides. I want to say that now, because I do not want any such disagreement as may have resulted to imply the slightest disrespect to them. All of us ought to be proud of the officers of the American Navy. Professionally they stand at the very top, and we all ought to do them the honor of recognizing that fact.

Mr. President, I want now very briefly, if I may, to summarize the efforts that have been made in recent years toward limitation of armament. There is no use in wasting time to talk about the old efforts that were made at The Hague conferences back at the beginning of this century. It is of no particular interest to remember that the Czar of Russia offered to limit navies. He and his navy are both gone from the picture. The effort was a failure; nothing whatever came of it; and it would be but a waste of time to go back over that history; but

I do want to speak a word or two about the changed conviction of the world that followed the last war.

The world as a whole, I think, came to see that there was nothing but conflict and bloodshed and misery to follow such a course as had been taken by the Germans, for example. The frantic building program they began in 1911 brought ruin to their country, and it almost brought ruin to all civilization. The lesson was too plain to need any argument; the world has learned the lesson; and the civilized nations of the world today are convinced that a reasonable limitation of the armament of nations makes for the peace of the world. A limitation by agreement, frankly and fairly made among the nations, without overreaching, without being smirched by the thing we call a diplomatic victory, but a fair agreement of limitation, removes distrust, takes away all fear of concealed intention on the part of possible adversaries. With that fear removed, the self-interest of mankind is stronger than any other motive toward the abolition of war.

What has caused war usually has been fear, distrust, the apprehension of a menace of which we are not quite sure, but which we feel may and probably does exist. If we can limit armament, if we know exactly what the other man has, what he is going to have, what his program is for a reasonable time in the future, we are removed from all apprehension of his malign intentions toward us. I think the world has learned that. I think that if we have gained nothing else from the World War we have gained that speck of wisdom. I believe that the people of this country, the people of Great Britain, the people of Japan, to say nothing of other nations, have come to believe in the process of limitation of armament, and all they ask is that it be done fairly, and with reasonable recognition of the conditions that surround each of the countries concerned.

Such an agreement as that calls for conference and for mutual concessions. The London conference was not like that which took place after the World War on the subject of Germany's future navy, where the victors of the war were laying down the conditions on which she might have a few ships, where they were imposing conditions upon her; but, like that at Washington and that at Geneva, it was a conference not of victors but of friendly powers, no one of them assuming to dictate the sovereign behavior of the other. Necessarily such a conference must take account of the status quo; necessarily when governments meet in conference, as at Washington or Geneva or London, they must take into account the condition of things when they meet. That was one of our greatest embarrassments in the London conference; the condition of things was such that for us to undertake to dictate to the other two nations would have been preposterous.

Let me tell what happened at Washington. The World War had brought about the passage in 1916 of a law by Congress that laid down for us a building program greater than that of any other nation on earth. When the Washington conference met a considerable amount of that program had been accomplished; we had an enormous battleship fleet coming into being; and the nations met us here in full realization of that fact. An unparalleled sacrifice was made on the part of America of those battleships that were building; but, for the first time in history, the greatest nations in sea power had met to limit one another's navy by mutual agreement. The advantages that came out of the Washington conference were bought, and dearly bought, by the United States by agreeing to forego a supremacy in capital ships which no one could have questioned. We agreed in Washington in 1922 not only to come down to a parity with Great Britain, but we came below parity. We emerged from the Washington conference with 15 pre-Jutland battleships and 3 post-Jutland ships. On the other hand, Great Britain, for the moment, retained 21 pre-Jutland battleships and 1 post-Jutland ship, but had the right to complete 2 more post-Jutland ships and, when they were completed, to scrap 4 of the oldest, and thus have 17 pre-Jutland and 3 post-Jutland battleships.

Mr. WATSON. Mr. President, will the Senator explain the terms "post-Jutland" and "pre-Jutland"?

Mr. REED. When I speak of "pre-Jutland" ships I mean ships which were designed before the Battle of Jutland without knowledge of the lessons which were taught by that battle. One of the things, for example, that was taught by that battle was the comparative worthlessness of battle cruisers in an encounter with battleships. The sorry experience of the British battle cruisers at Jutland opened the eyes of the whole world to the defenselessness of that class of vessels. In addition to changing a lot of internal arrangements, magazine hoists, and what not, and showing the importance of high-angle fire, there were many lessons learned at Jutland, and so important were those lessons that all battleships to-day are classified as "pre-Jutland" or "post-Jutland."

We came out of the Washington conference, as I have said, with a distinct inferiority in our battleship fleet to the battleship fleet of Great Britain. Particularly after the completion of the *Rodney* and the *Nelson* she had 3 very fine post-Jutland ships and 17 pre-Jutland ships, a total of 20, compared with our 18, and, while 3 of ours were also post-Jutland, they were 4 years older than the *Rodney* and the *Nelson*.

But we gained other advantages from the Washington conference. For one thing, the British-Japanese alliance was terminated, and, for another thing, the agreement that we should not proceed further with the fortification of our Pacific islands—other than Hawaii, which we are free to fortify to our heart's content—was matched by a similar agreement by Japan not to fortify Formosa or the other outlying islands controlled by her. Those which she is permitted to fortify are far closer to the mainland and to the heart of Japan than those which we are permitted to fortify are close to us. There is no restriction whatever on the development of our fortifications in Hawaii or at the Panama Canal. I have always thought that the bargain which was then made was quite as advantageous to the United States as it was disadvantageous in regard to the fortification of those Pacific islands.

The Washington conference did not realize the value of aircraft. It fixed a tonnage for aircraft carriers of 135,000 for Great Britain and for ourselves and 60 per cent of that tonnage, or 81,000 tons, for Japan. I doubt whether any of the three nations realized how important in the future the aircraft carrier was to be.

At the Battle of Jutland, for example, I am told that there was neither an airplane nor an airship at any point near the battle, and that air reconnaissance was not resorted to at all, nor was air spotting for artillery fire. Unquestionably that would not be true of another great naval battle that might occur in the future. Unquestionably aircraft would be of immense importance if for no other reason than that modern artillery has been so developed and the metallurgy of the manufacture of ordnance has so improved that it is possible to give ranges to all modern guns which are beyond the ability of spotting from the ship that fires the shot. Both the 6-inch gun and the 8-inch gun can fire over the horizon and the splash is so far away that it can not be spotted accurately from the ship that fires it. When we talk about the relative superiority of the two kinds of guns we must remember that the side which has control of the air and can use air spotting for its fire and its reconnaissance will have an immense advantage over the other, whatever may be the caliber of the guns.

However, the Washington conference did make that agreement as to limitation of battleships and aircraft carriers. At that time it is interesting to note that the advice of the General Board of the Navy was not taken by the American delegates. On October 2, 1921, the General Board gave an opinion that the tonnage of battleships which the United States should insist upon having should be 1,000,000. The delegation did not accept that advice, and then subsequently, on October 14, the chairman of the General Board wrote the Secretary of the Navy on behalf of the General Board that the board was of the opinion that its plan of October 2 was the most satisfactory that it could devise.

Senators will see that this is not the first time that the General Board has not been allowed to have its way. That plan of October 2 involved a capital-ship tonnage, as I have said, of about 1,000,000 for the United States and Great Britain. However, because such a plan would call for about \$50,000,000 a year for renewal of battleships alone, the delegates and the administration insisted that a plan be made that would provide for reduced expenditures. Thereupon the General Board came back with a plan calling for a tonnage of 820,000 in battleships for the United States and the same tonnage for Great Britain. I will not follow with too much detail about that; but the upshot of it was that that opinion also was overridden, and the final agreement provided for 525,000 tons of battleships for Great Britain, and the same amount for ourselves, and 60 per cent of that amount for Japan, and about 35 per cent for France and the same amount for Italy.

When that conference tried to go further and limit the building of auxiliary ships, such as cruisers and destroyers and submarines, it failed completely. It could not accomplish an agreement of limitation on any of those three categories. Perhaps it might have in destroyers alone, for at that time we had a lot of fairly recently built destroyers, and I suppose we could have sacrificed our preponderance there and achieved an agreement by buying it in that way. At any rate, that was not done and those three classes were left unlimited; but it was the belief of the American delegation, and they so expressed themselves to Congress, that the limitation on the larger ships, the capital ships, would, by its very object lesson, be accepted by the three countries and would be followed in effect by a

restraint upon the building of the auxiliaries; in other words, that while nobody was bound not to build up the auxiliary fleets, yet as a matter of fact they would not do it because of the spirit of limitation that had been created by the battleship agreement.

Unfortunately, that has proved to be an unfounded expectation. What actually happened was that by limiting some ships and not others the Washington agreement transferred competition from the one category into the others. Instead of refraining from building auxiliaries because of the object lesson that has been given on capital ships, some of the nations put all their strength into the building of cruisers and submarines and destroyers. Competition had not been ended. It had merely been localized in the auxiliary categories. So for the next five years Great Britain to some extent, Japan to a very considerable extent, and France and Italy to some extent, went on and built up their cruiser fleets. We, still entertaining the same wrong impression that the good example in battleships was going to be followed in cruisers, did practically nothing except to finish up the *Omaha* class which had been commenced before that conference.

When the delegation met last autumn, and sat down to study the condition of the American fleet at the moment, we were horrified to find that in these auxiliary classes the United States was in a condition of almost hopeless inferiority; that whereas Great Britain had fifteen 8-inch and $7\frac{1}{2}$ -inch cruisers and thirty-nine 6-inch cruisers in commission, we had only ten 6-inch cruisers and one 8-inch cruiser, the *Salt Lake City*, about to come into commission. We had 80,500 tons against the British 327,111 tons. They had us 4 to 1. They had 54 cruisers of both kinds of guns as against our 11. In their building program they had some more under construction, and we had some under construction. We found that even Japan, supposed by the Washington treaty to have acquiesced in a 10-6 ratio for the navy generally, had eight 8-inch cruisers in commission, and four more well along toward completion, against our one in commission. The Japanese had twenty-one 6-inch cruisers totaling 98,415 tons, against our 10, totaling 70,500 tons; and the Japanese cruiser fleet then in commission consisted of about 166,815 tons, against our 80,500 tons then in commission.

I find no fault—there is no good in finding fault—with the people who were responsible for that condition. There is no good in recriminations. If it was a mistake, it was a mistake of the whole country, I suppose; but I, for one, had never before realized how hopelessly insignificant was our auxiliary fleet compared to the fleets of Great Britain and Japan at the moment we went into that conference.

We had a building program, yes; we had a building program that had been authorized. There were seven more 8-inch cruisers being built and well along toward completion, so that we will have before the end of this year probably a total of eight such cruisers in commission; and then there are five more that theoretically are being built under the 1927 law, and some material has been gathered at the shipyards to build them; but no keels have been laid. The design is not finally settled. Nobody knows to-day what the final design of those five is to be. Of course, if there were no treaty, and if we went on and laid the keels of the next five, it goes without saying that Japan and Great Britain would build against us.

Before I get into the details of this, however, let me say just a word in passing about the Geneva conference.

You remember that that conference was called in 1927; that it was attended by Great Britain, Japan, and ourselves as participants, and by France and Italy as observers. The conference was a complete failure. While we are calling a spade a spade, I think I should say that it was a complete failure because the British insisted that nothing less than 70 cruisers was adequate for their national defense, sufficient to protect their lanes of commerce, sufficient to insure national safety in a possible war; and the British stood pat on their demand for 70 cruisers. The conference failed.

The London conference at the very beginning had the encouragement of finding that the British demand for 70 cruisers had been abated, thanks to the negotiations carried on between our Government and the British Government throughout last summer. I think I am betraying no secret when I say that the British demand at the beginning of those negotiations was for 60 cruisers—nineteen 8-inch or $7\frac{1}{2}$ -inch, and forty-one 6-inch. The figure of 19 was reached by the fact that Great Britain already had 15 of these large ones, with 4 more under construction. The plan she started with was that she would keep the whole 19 of them, and have 41 small cruisers, 6-inch cruisers, against the 39 which she actually has in commission to-day.

In the course of the summer of 1929 she receded from that position, and it was agreed that she should not have more than 50—that is, it was agreed by the MacDonald government that

she should not. That Labor government, as Senators know, has limitation of armament as one of the cardinal planks of its platform. The government which preceded it, the Conservative government, probably would have hesitated to come down that far. As a matter of fact, Lord Bridgeman, who was the last Conservative First Lord of the Admiralty, is one of the principal opponents of the London treaty, which is now up for ratification in the British Parliament; and he is backed in that opposition by some of the most distinguished British admirals, Jellicoe and Beatty, and by Winston Churchill, and by a very considerable group of the Conservative Party. The Labor government, however, felt that it could, with reasonable safety, come down to a point of 50 cruisers; and Senators should remember that that does not mean 50 cruisers of the *Salt Lake City* type, by any means. It means an aggregate of 330,000 tons. Many of those ships—in fact, I think the majority of them—are cruisers of 5,000 tons or less. The British seem satisfied to accept smaller cruisers—probably because they have scattered bases—than would be suitable for American service.

Mr. SHORTRIDGE. Mr. President, what is the size of the *Salt Lake City*?

Mr. REED. The *Salt Lake City* is a cruiser of 10,000 tons; and most of the recent 8-inch cruisers which have been built by Great Britain and by Japan are similarly of 10,000 tons. That is the maximum permitted under the cruiser provisions of the Washington treaty.

I should have said, in reviewing the treaty of Washington, that while there was no limitation on the aggregate number or aggregate tonnage of cruisers, there was put in that treaty a provision which limited cruisers to a maximum unit size of 10,000 tons, and a maximum gun caliber of 8 inches. That limitation is still in force. As in most cases of limitation, the instinct is to build right up to it. The instinct is to build cruisers of 8-inch-gun caliber and 10,000 tons displacement.

Before we get into the details of the agreement, let me say a word about this question of commerce protection.

We look at the lanes of commerce that exist in peace times, and we dream sometimes of protecting those identical lanes in war time; and we forget, to begin with, that those lanes of commerce that lead to or from our enemy country are instantly cut off by the declaration of war, and that not a gunboat is required to cut them off. That is worth bearing in mind when we consider the self-interest of Great Britain or Japan in refraining from provoking a war with us.

Over 40 per cent of all the Japanese foreign trade is to and from America. She would lose 40 per cent of her trade on a mere declaration of war, and, of course, we would lose all that trade with Japan the moment war was declared.

Similarly, if war were declared with Great Britain, all our trade to and from Great Britain and her colonies would instantly cease, no cruiser would be needed to stop it, and all the cruisers on earth could not revive it.

Now let us look at the matter open eyed and without illusion. Suppose Great Britain got into a war with a major naval power. She could protect her trade across the British Channel. By great efforts she could protect it around the Spanish Peninsula and in the Mediterranean. She could protect it, probably, on the North Sea. But beyond that it would be a case of constant raiding, of disturbance of regularity of trade, and no matter what the size of her navy, unless she could hunt out the other fellow's navy and destroy it or coop it up, the only communications she could consider safe would be those in the Mediterranean and along the western coast of Europe.

We would confront a similar situation. If we had a navy three times the size of the British Navy, so long as we had not hunted out the enemy's navy and destroyed it or penned it up, the only trade we could safely depend upon would be our own coastwise trade, and perhaps that in the Caribbean and the Gulf of Mexico. The rest of it would be a question of raids, of ships being sunk here and there on either side, and a very much disturbed commerce, and of totally revised lines of communication.

Just as the World War created new channels of trade, just as war conditions called for different commodities from peace conditions, just as Chilean nitrate became twice as important in August, 1914, as it had been in July, 1914, so new channels are developed, new problems arise for their defense, and to talk about continuing in war the world trade which any nation has in peace time is preposterous. We might as well face the facts. The rest of the world, outside of those limited areas that I have mentioned, would be safe for nobody so long as the other side had ships at large which had not yet been hunted down and sunk.

Mr. President, let us see just what was done at London. First let me talk about battleships. I have explained how, as a result of the Washington conference, we got 18, and the Brit-

ish had, first, 22, and then in 1925, on the completion of the *Rodney* and the *Nelson*, they sank four of their old battleships, and that cut them down to 20.

Japan had 10, and has had since the Washington conference, and still has, whereas her ultimate strength is to be 9 against our 15.

By the terms of the Washington treaty, beginning in 1931, a great period of battleship building was due to commence. That Washington treaty gave us all a holiday from building battleships from 1922 down to 1930, but beginning in 1931 we and Great Britain each were to lay down 10 battleships between now and the end of 1936.

Take our program, for example. It meant 2 to be laid down in 1931, 2 in 1932, 1 in 1933, 2 more in 1934, 1 in 1935, and 2 more in 1936. And they cost about \$40,000,000 apiece!

Great Britain had the same thing to look forward to, 10 of these monsters of the sea to be laid down between now and the end of 1936.

Japan, in spite of her depression in business, in spite of the unemployment which plagues her, in spite of the high taxation which makes a terrific problem for her, had to look forward to laying down six of those battleships, and every one was sure to be of the maximum tonnage, 35,000 tons, every one was sure to be armed with 16-inch guns, every one of them was sure to be the last word and the most expensive.

The three countries had to look forward to 26 battleships being commenced over the space of six years, 1931 to 1936. No wonder the thoughtful officials of those three governments who had to do with taxation groaned when they read that schedule. That was the strongest card we had to play in London. The fact that relatively to Great Britain and to Japan we could better afford to waste that money than they could was the strongest card we had to play in all our hand.

The conference was met right from the beginning with the downright statement by the American delegation that there was going to be no discussion of battleships or battleship holiday; that there was going to be no abatement of that schedule of replacement unless we could get an agreement on the auxiliary ships. Over and over again when the conference was in its periods of discouragement the suggestion would be made, "Let us agree on a battleship holiday and go home," and the delegation from America replied always, "It must be all or nothing."

The battleships which were to be replaced are not at all unseaworthy. The battleships which would be replaced under this elaborate schedule are perfectly seaworthy boats. They are perfectly good for use. They can be carried on in service during the period of this holiday without jeopardizing the crews in any way, and they will remain effective fighting ships.

The plain truth is that no other nations than the three of us have modern battleships. The French and Italian battleships are not modern battleships which would furnish serious adversaries to the fleets of either Great Britain or Japan or ourselves. So that when these three countries made an agreement on battleships practically it included the world, because it included all the first-class capital ships of the world.

The battleship holiday which everybody wanted had another condition attached to it by the delegation from America. That was that we were not going to have any postponement of replacement unless we got parity right away, which under the Washington treaty did not arrive until 1942. The Washington treaty provided that Great Britain could build new ships just as fast as we could, but it also provided that she would scrap slightly faster over the course of the years, so that by 1942 we would have exact parity in number of ships and in total tonnage of the battleship fleet. We insisted at London that there was going to be no abatement of the Washington schedule unless we got now the parity which under the Washington treaty we did not get until 12 years later, and that the other countries very reasonably acquiesced in.

What happens is this: That in order to give us that immediate parity we are to scrap down from our present 18 battleships to the 15 which the Washington treaty provided we should ultimately have. We are to do it either this year or next. Great Britain is to scrap down from her present tonnage to the 15 the Washington treaty ultimately allows her, and she is to do it either this year or next. It is all to be done by the end of 1931. Scrapping a battleship is rather a lengthy job, and that much time was necessary.

Let us see just how that works out for America. It is not enough to dispose of this part of the London treaty by saying that the battleship phases, on the whole, are satisfactory, and then go on and pick out some place where we made a concession and dwell on that at great length. In order to have a fair picture we ought to take each of these classes and see just what was done at London.

The three battleships which we scrap total 69,900 standard tons, and each of them is armed with 12-inch guns in its main battery. Two of them have a speed of 21 knots and one of them is rated at 22. Two of them are armed with ten 12-inch guns, and the third with twelve 12-inch guns. The youngest of them is 18 years old and the oldest is 19. It is pretty hard to carry all that in mind, so let me review it again. Our ships total about 70,000 tons; maximum speed, 22 knots; the youngest is 18 years old, and the strongest main battery is twelve 12-inch guns.

The ships which Great Britain is to scrap are five, totaling 133,900 tons, almost twice the tonnage we scrap. Their speed is in no case less than 21 knots, and in the case of the battle cruiser *Tiger*, it is 30 knots. All five ships are armed with 13½-inch guns. The age of the ships is all the same. They were all completed in 1914, so all are 16 years old, against ours, 18 and 19 years old.

As I have said, one of our ships has twelve 12-inch guns, the other two, ten 12-inch guns apiece, so that we have thirty-two 12-inch guns on the ships we are to scrap. The British, on their five ships, have forty-eight 13½-inch guns, half again as many guns, which are all 13½-inch guns, as ours of 12 inches. The five ships they are scrapping are in all cases more recent vessels than ours. Our youngest is 18 years old, and their oldest is 16. They are scrapping 133,900 tons, against our 69,900, and we are getting parity in capital ships just 12 years sooner than the Washington treaty would give it to us.

That is so obviously to the advantage of America that one wonders what kind of criticism can be leveled at that arrangement. The only criticism left is this mysterious superiority which is ascribed to the two most recent British battleships, the *Rodney* and the *Nelson*. It happens that many of the critics of the treaty, many of those who tell us how infinitely superior those two battleships are, have not learned their facts quite accurately.

When cross-examined they admitted that the only element of superiority which the *Rodney* class has over our *Colorado* class is in the greater thickness of the protective decks, but when further cross-examined it transpired that they do not know the thickness of the deck of either class of ships, so perhaps it will be interesting to put it in the Record.

The *Rodney* and *Nelson* have protective decks over their magazines which are 6¼ inches thick in a single slab of metal. Our *Colorado* class, as all the world knows, I think by this time, have 5 inches of deck protection consisting of three layers, first the top deck 3¼ inches thick of special-treatment steel; then in a separate deck below that is 1 inch of special-treatment steel on a slab of ordinary steel which is unimportant. The total of 5 inches does not mean 5 inches of special-treatment steel.

Therefore, it was important because of that difference of a couple of inches in the protective decks that we have the right to increase the deck protection on our ships. That was one of the things on which we insisted at London, that there should be no question of our right to modernize any one of our battleships; and that modernization can include not only an increase in deck protection but it can also include, as is evidenced by the letter of the British Foreign Minister which accompanies the treaty, an increase in the aperture in the front of the turret which allows a greater angle of elevation to be given to the gun. There is no change made in the mounting of the gun. That is not necessary, and anyway it is forbidden by the Washington treaty. But there is an increase necessary in that aperture through which the gun protrudes from the turret. It is now agreed that that can be done by the United States. The British protest against our doing it has been withdrawn and we are perfectly free to go on and modernize our ships in that way. In addition to that, the process of modernization as practiced by all nations includes putting on "bulges," which add to the buoyancy of the ship and add to the protection of the ship from underwater attack.

All told, it seemed to the delegation that that was a highly advantageous solution of the battleship problem. It gave us immediate parity, as I said. While the British had the *Rodney* and the *Nelson* on their side, mounting each nine 16-inch guns, a total of eighteen 16-inch guns in their fleet, we had three ships of the *Colorado* class, each of which mounted eight 16-inch guns. Consequently, in gun power we had 24 of the largest size guns to their 18. The fleets are as reasonably equal in fighting power under the treaty as is humanly possible to expect.

In age sometimes it is said their ships are younger. I saw the statement made in a circular of the Navy League the other day that their ships are one year younger than ours. That is not so. Our ships on an average are 1½ months younger than the 15 ships Great Britain will have left after the scrapping

program is carried out. The fleets are practically of exactly the same age. The difference is only 1½ months, and that is in our favor.

Turning now to Japan. Japan agrees to scrap her battleship, the *Hiei*, reducing it to a condition where it is impotent, taking off its main battery and putting it through the wrecking process prescribed by the experts. The delegation did not undertake to interfere with the details of demilitarizing ships. That was all done by the naval experts. Japan scraps or demilitarizes a battleship which is armed with 14-inch guns. That brings her down to the nine she is ultimately to have under the Washington treaty. She has to do her scrapping before the end of next year, like the rest of us.

I think that, looked at fairly or even unfairly, the solution of the battleship problem worked out at London should be highly satisfactory to the people of our country, and it should be highly satisfactory to the people of all the countries to realize that a wholly unnecessary expenditure has been avoided on the part of all three of us, or, if not avoided, has been extended and postponed.

Next we come to aircraft carriers. There were repeated suggestions at London that the permitted tonnage of aircraft carriers should be reduced if only a little bit so as to show that the process of reduction was going on further all the time in all categories.

Right or wrong, it seemed to the American delegation that a reduction in that item was unwise, that probably the Washington treaty had cut in that category far out of proportion to the cuts made in the other categories, and right or wrong we took the position throughout the conference that the figures named in the Washington agreement must not be reduced. Those figures remain exactly as they were fixed in 1922, and I hope we will utilize them. At present we have not built the permitted tonnage of aircraft carriers. Great Britain has built more than we have. She has a larger number of units, using smaller ships. Japan has built proportionately more than we have. It is to be hoped that in our building program in the next few years we will more completely round out that tonnage.

If I may interrupt myself before I begin to talk about the auxiliaries, let me say that nobody wanted to go to London to win a diplomatic victory. A diplomatic victory in a matter of this sort would be about the most expensive victory we could win. Naturally we did not want anybody else to win a diplomatic victory over us, and, while it may be effrontery to say so, I do not think they did. Please understand, Mr. President, that all we claim the agreement to be is a fair and just agreement, fair and just to all of the countries which participated in it, representing so far as we can see no diplomatic victory for anybody.

I have said a little bit about the condition of our cruiser fleet at the time the delegation went to London. It is not necessary to go into detail and explain why the design of the 8-inch-gun cruiser is not all that it might be. It is not necessary to get technical about it. The situation was disheartening. To find that America had of the *Omaha* class only 10 little ships, 70,500 tons, and the *Salt Lake City*; that those were all the cruisers she had in commission, 10 of the 6-inch-gun class and 1 of the 8-inch-gun class; that Great Britain had in commission 15 of the 8-inch-gun or 7½-inch-gun class and 39 of the 6-inch-gun class; and then that we were going to a conference where on the status quo Great Britain had us 4 to 1 was disheartening. I do not believe many Members of the American Congress realized before this time that our inferiority was so great. If the showing was made and the lesson was taught I did not get it before, and I doubt if many of our colleagues did. Those people to whom we looked for warning in such matters, if they spoke at all, spoke so feebly that it did not reach the ears of most of us.

Mr. President, in destroyers we had a great preponderance, we are told, and so we had. We had a great preponderance of ships built very rapidly during the war by the Sears-Roebuck process, turning them out in great quantities, some of them so quickly as 90 days. We had 290,000 tons of them, but about 65,000 or 70,000 tons of those were already on the disposal list, and even we could not claim that those could be counted as live assets in our destroyer fleet. We had not built a destroyer for so long that the youngest ship in the American destroyer fleet had been finished in the year 1922. We have not completed a destroyer since that time. Practically every ship in our destroyer fleet can be rebuilt under the provisions of the treaty; in fact, every destroyer we hold can be replaced between now and 1936 if we want to do it. That is how old they are. Many of them were laid up. Other countries have been going on building modern destroyers while we have not. Every one of them knew all the facts about that, so that our supposed superiority in destroyers was only nominal.

Mr. President, if we and Japan, for example, go on from now until 1936 without either of us building a destroyer, and if we consider 16 years to be the reasonable life of a destroyer, then at the end of 1936 Japan will have 636 per cent of under-age tonnage as compared with ours. That is to say, she will have six and one-third times the tonnage of under-age destroyers that we will have. When we are talking about our superiority in destroyers let us remember that it is an evanescent superiority that will be all gone by the time the treaty period expires.

In the matter of submarines, we had not built many since the war. We had built a few. At the present time, if we include ships built and building or if we just take ships in commission, instead of Japan being down at the theoretical 10 to 6 ratio which we are told we have to preserve she has in commission at the present time 113 per cent of our submarine fleet; that is, taking ships only in commission at this moment, Japan has 113 per cent of the number we have. If we take ships built and building, Japan has 121 per cent of the number we have. If we figure out the number of these ships of each fleet that will be under age when 1936 comes Japan will then have 228 per cent of the American submarine fleet. She has more in commission to-day, she has more built and building to-day, and she is going to have twice as many by the time 1936 comes, unless we develop an energy which we have not hitherto shown and build some.

Mr. President, that is the situation with which we were confronted. What was the outcome? Let us take first the big cruisers, about which there has been so much talk. Great Britain agrees to scrap 4 out of her 19 which she has to-day built and building. She scraps four, and then stands still for seven years. That is to say, she is not going to build an additional 8-inch-gun cruiser from now until the treaty expires at the end of 1936, and before the treaty expires at the end of 1936 she is going to scrap 4 of the 19 which she now has built and building.

Take Japan. Japan to-day has 12 built and building; she agrees to stop still on those 12; she is not going to add another one; while we, who had the poor lonely *Salt Lake City* when we went to London, are allowed to go on and complete the 7 sisters of the *Salt Lake City*, to complete the 5 more which are theoretically building but which have not had their keels laid, and to build 5 more, to complete 3 of them and have No. 17 and No. 18 practically completed when the treaty period shall have expired.

There is the agreement in substance: Great Britain goes down 4; Japan stands stock still for seven years; we go from 1 up to 18; and yet it is called "effrontery" to say that that is fair to America.

Mr. President, let us take the 6-inch-gun cruisers. At the present moment Great Britain has thirty-nine 6-inch-gun cruisers; she agrees to reduce to 35, and then stand still. She will build additional tonnage, it is true; but she agrees that for every ton she builds she will scrap a ton. She has to keep her dockyards busy to some extent, just as all nations do, but in adding new construction to her fleet she agrees to scrap a ton for every one that she builds, and she agrees that in any case her new building shall not exceed 91,000 tons.

Japan has twenty-one 6-inch-gun cruisers, aggregating 98,415 tons; and she agrees to stand still, practically; at any rate, not to exceed the figure of 100,500 tons. I am now talking about the 6-inch-gun cruisers.

Japan can add about 2,000 tons to her present 98,000-ton fleet, her present 21 ships; and we, who have 10 of them to Japan's 21 and Great Britain's 39, can go on and add 73,000 tons, all brand-new 6-inch-gun cruisers.

But our friends say that that is "effrontery." They claim that that is not a good thing for the United States, because these "little cruisers" have not the cruising radius; we have not the bases, and they can not go to the distant points at which we must protect our commerce; that these "little cruisers" are utterly unsuited to American needs. But why are they little cruisers, Mr. President? Why are we to assume that we are going to make them little cruisers? The British have little cruisers, yes; and they tried to impose a limitation at the London conference that our cruisers should not exceed 7,000 tons, but we successfully resisted that effort. We can build new 6-inch-gun cruisers with exactly the same cruising radius, with exactly the same speed as the 8-inch-gun ships that are praised for their cruising radius. The calm assumption that our new 6-inch-gun ships are to be little ships is pure imagination. Identically the same ship that is equipped with 8-inch guns may be used for 6-inch guns and, with the saving of weight that results from using the 6-inch battery instead of an 8-inch battery, the vessel may be given additional side and deck protection, which will make it a much better ship in the average fight.

Now, perhaps the Senate will bear with me a minute while I talk about the two kinds of guns. The 8-inch gun is a superb weapon and so is the 6-inch gun. I think our naval ordnance officers deserve recognition and congratulation for the two weapons they have evolved. Only modern metallurgy makes them possible. Each of these guns has a muzzle velocity of 3,000 feet a second, and any one of us who has ever had experience with artillery knows what a terrific speed that is for a gun of that size. They are both accurate in their fire. The 8-inch gun fires a 250-pound projectile, and naturally no human being can load that gun by hand. The 6-inch projectile weighs about 100 pounds, and the 6-inch gun can be and is loaded by hand. The result is a very much increased rapidity of fire for the 6-inch gun as compared with the 8-inch gun. There is obviously a lesser explosive effect in the case of the 6-inch projectile, but, after all, there is no use of taking a cannon to kill a canary bird, and for most purposes the 6-inch gun is quite sufficient to kill the canary bird. In repelling a destroyer or a submarine attack a 6-inch projectile marks the doom of the destroyer or the submarine just as certainly as an 8-inch projectile does; one fair shot and the little ship is gone. Where we have found that, firing from the open deck in battle practice, the 6-inch gun can be fired eleven times per minute, and where undoubtedly it can be fired four times a minute from a turret, the 8-inch gun is limited to a speed of something less than half that. Without going into all the technicalities about firing from turrets as against firing from the open deck, and what not, it is a safe assumption that the 6-inch gun can be fired twice as fast as the 8-inch gun, and, with the greater volume of fire and the greater number of 6-inch guns that can be carried, there is a compensating advantage that pretty nearly, if not entirely, makes up for the greater power of the projectile of the 8-inch gun. Even the little *Omahas* carry twelve 6-inch guns and the *Salt Lake Cities*, as I recall, carry but nine of the 8-inch type. I will verify that; I do not want any mistake to stand. I find that the *Salt Lake City* carries ten 8-inch guns and the *Pensacola* ten 8-inch guns, but on the subsequent vessels of the same class the number of guns is reduced to nine. So just two out of the *Salt Lake City* class carry ten 8-inch guns and the other six carry nine such guns.

The range of both of these guns, as I said before, is beyond the distance at which the human eye can spot the shell from the ship that fires it. The longest ranges of these guns are valueless unless there is control of the air and airplane spotting to regulate the fire. A ship might just as well roll its ammunition over the side as to try to fire at an enemy away down the horizon when those on board can not see the splash of the shots which are fired. Consequently, the relative value of the two ships is complicated with the question of the control of the air, and that makes it difficult to appraise their value.

It is a fact that in no naval battle in history has a hostile shot been fired at a range of more than 20,000 yards. Both of these guns are effective up to that range. What future wars will bring forth is a matter of speculation; but it is instructive at least to remember that while the Battle of Jutland began with clear visibility the opening shots were fired at 19,500 yards; that visibility was good at the beginning of the battle, and yet neither combatant opened fire, even with the heavy main batteries on their battleships and battle cruisers, until within 20,000 yards of the enemy.

I have told what Great Britain has done with respect to her cruisers; I have told what Japan has done—the reductions they have made or their agreement to stand still where they are. Now let us see, on the other hand, what America does. As I have explained, we are adding 18 of the larger cruisers, 16 of which can be quite finished, 1 of which can be finished within 24 hours of completion, and 1 within 1 year and a day of completion when the treaty period shall expire, while Great Britain reduces and Japan stays still. That statement has reference to the big cruisers. I have told how in the small cruisers Great Britain reduces and Japan practically stands still at 100,000 tons, and we go on and more than double our present tonnage in those cruisers.

One would think that would satisfy any American; but, no; the General Board says that we are being forced to build the kind of ships that Great Britain wants; that we are not getting the kind of ships that American necessities call for; and that, furthermore, we have made a fundamental departure from the basic and vital American doctrine that there shall be no division into subcategories. Now, let us see about that.

The General Board last summer wanted twenty-three 8-inch-gun cruisers. They wanted also the same total cruiser tonnage that Great Britain had; they wanted to have eight more of the big cruisers than Great Britain has, with the same total tonnage of the two kinds of cruisers. Then finally, in September,

after further consideration, they came out with the statement, "We will be satisfied with twenty-one 8-inch-gun cruisers, and the 10 *Omahas* we have, and an additional 35,000 tons of 6-inch-gun cruisers." If that is not separating the cruiser class into categories just as completely as the treaty does, I do not know how it may be described. Here is the General Board of the Navy that says the interchangeability within the cruiser category is vital; that it is an essential and long-established American doctrine that must not ever be departed from, and yet, in its own advice to the President of the United States, it divides cruisers into categories. It says, "We want 21 of one and about 100,000 tons of the other." So, if it is such a serious thing to recognize the plain fact that there are two kinds of cruisers, the General Board must plead guilty to having done it first.

But it is said the treaty does not give the United States 21; it only gives 18. That is the rub of the whole business. Admiral Jones, very frankly and cheerfully, in the hearings before the Foreign Relations Committee admitted that the whole row is over a difference of opinion as to how three cruisers shall be armed, whether we shall have three 10,000-ton cruisers with 8-inch guns or whether we shall have 38,000 tons, which is really four ships, with 6-inch guns. They can have the same speed; they can have the same cruising radius. The sixes can have a little bit better armor and they can have more guns than the eights, and we have an allowance of an extra 8,000 tons which the General Board did not even ask for, but which we managed to get at London.

It is claimed, however, that the treaty ought to be rejected because three 8-inch-gun cruisers are better than four 6-inch-gun cruisers. They stated that so strongly and so positively—and they were experts, and we were not—that we spent weeks listening to them in America, and we spent a long time—pretty nearly two weeks, as I recall—listening to them in London; we talked about nothing much else on the ship going over, because these distinguished men of the Navy were in disagreement about that. Admiral Pratt, the commander in chief of the American fleet, said, "I would rather have the sixes; I would rather have an evenly balanced fleet; each of them has its particular uses, but for close-in defense of the fleet the sixes are much better; they fire faster; they will get rid of more destroyers and more subs, and in an attack I would rather have a fleet evenly balanced." He said, "Under the circumstances of the case we will have a better fleet with 18 of each kind of ships than we will have with a lopsided fleet of 21 big ones and perhaps 15 small ones."

That was the advice we got from Admiral Pratt; and he was obviously a man of high intelligence, obviously patriotic, and obviously sincere. On the other hand, there was Admiral Hilary Jones, who is just as patriotic and just as intelligent and just as sincere; and he said, "Why, it is of the highest degree of importance that you insist on 21 instead of 18." He said, "It is even worth breaking up the conference for"—the difference between the armament of those few cruisers.

Our respect for both of them was such that we heard them over and over again, realizing our own shortcomings as mere civilians and realizing the distinction of these men as well as those who supported them. Admiral Pratt was supported by Admiral Hepburn, Admiral Yarnell, and Admiral Moffett. Admiral Jones, on the other hand, was supported by Admiral Pringle. Of their sincerity and intelligence and patriotism nobody had any doubt. So we sat up there like a lay jury, trying to decide which of these experts was right, and where did lie the best interests of the United States; and after a long consideration, after weeks of it, after hearing from gunnery experts like Captain Smyth, and a study of the penetrating power and the ability to withstand fire of the two classes, and all that sort of stuff—after hearing it all, we came unanimously to the conclusion that Pratt was right and Jones was wrong, and that we would have a better fleet if we took the 18 than if we insisted on the 21.

So much for the merits of the case; and then consider for a moment the practical side of it. If we got the 18, we had Japan 10-6 in the big cruisers if she stood still. She had exactly six-tenths of what we would have with our 18. But suppose we had insisted on the 21. Then she naturally would insist on having at least 60 per cent of our 21, which would give her pretty nearly parity with Great Britain; and while the MacDonald government seemed to think that it might be able to stand that—having Japan almost at parity with Great Britain in these big cruisers—the dominions revolted, and said they would not sign the treaty if anything like that were done. Australia and New Zealand said flatly, "If you make any such agreement, we will start to build cruisers on our own hook, and we will not sign your agreement." They have just as much to say in the theory of the structure of the British Government as has Great Britain and Northern Ireland; and when those

two dominions announced that they were going to build on their own hook, of course that took away all question of parity between us and Great Britain. Obviously if it is important that we have twenty-one 8-inch cruisers, then we shall have to have them at the price of no limitation at all.

Suppose that were the result. Suppose we had said to the world, "Our General Board, than whom there is no wiser, says we must have twenty-one 8-inch ships. Therefore, there is going to be no treaty, and we are going to build up to parity." We have a fine chance of getting to parity by 1933, Mr. President, remembering that Great Britain has 15 of these cruisers already in commission and 4 more well along. How long is it going to take us to build to parity against a growing navy of Great Britain, when she starts with 19 and we start with 1? Just how many ships are we both going to have by the time we catch up to her? And what is the feeling going to be between us?

About Japan, she has 12 built and building. She has 8 in commission against the 1 that we had when we went to London. How long is it going to take us to build past her until we have her 10-6? We can do it now, under the treaty. She has conceded 10-6 in this largest type of cruiser but if there were no treaty, just about when in the dim distant future would we have passed her and got to 10-6? And how many needless cruisers would we have by that time? And how lopsided would our fleet be? And what would be the annual building cost? And what would be the annual maintenance cost? Furthermore, we would have a great bump in our cruiser-building program that would come back to haunt us 15 or 20 years from now, when they would all begin to get obsolete, just as our destroyer fleet is doing to-day.

Mr. President, as I say, we consulted the gunnery experts as to just what would happen in case such a cruiser as I have been talking about—a 10,000-ton cruiser, properly designed and armored, carrying 6-inch guns—were to meet the best 8-inch cruiser in the world to-day. Somewhat to our astonishment this was the substance of the opinion given us by Captain Smyth, who is recognized on all hands to be one of the greatest authorities on ordnance and gunnery in the American Navy:

That within the first 4,000 yards—that is, from zero up to 4,000 yards—the 6-inch ship of that sort would have about a 5 to 4 advantage over the 8-inch ship, because either could penetrate the other, and the greater rapidity of fire of the 6-inch more than made up for the larger size of the projectile of the 8-inch.

From 4,000 up to 13,000 yards he said there would be perhaps a 5 per cent advantage in the eight, due to the larger size and greater penetrating power of its projectile.

From there up to, I think, 18,000 yards—the Senator from Arkansas will help me remember these figures—from 13,000 up to 18,000 yards the advantage recurred to the 6-inch cruiser, because of the easy vulnerability of the decks of the eight, and for other reasons; and in that range between 13,000 and 18,000 yards there would be about 5 to 4 advantage in favor of the six.

Beyond 18,000 yards the 6-inch rapidly fell off into impotency; and, assuming that the eight would get any spotting, it could quite well defeat the six above 18,000 yards.

Mr. SHORTRIDGE. What is the range?

Mr. REED. The range of the guns goes away over the horizon—some 35,000 yards, I believe, for the 8, and about 26,000 or 27,000 yards for the 6. Both of them shoot so far that you can not spot their fire.

In other words, Captain Smyth—who certainly has no leanings in favor of civilians as against naval officials—advised us that under 18,000 yards there was a slight balance of advantage, taking it all in all, in favor of the 6. Over 18,000 yards it is all in favor of the 8; and that is what made us curious to ask about the ranges at which battles had been fought in the past. All in all, we came unanimously to the conclusion that the arrangement worked out by the treaty was better, as far as we in our innocence and ignorance were able to see, than the solution recommended by the General Board.

Now, about destroyers and about submarines:

I have already pointed out that the apparent superiority that we have in destroyers has to be reinforced by an immense destroyer-building program, or it will so far disappear that by 1936 Japan will have six times as many under-age destroyers as we will have. The British, likewise, have been building; and they have a considerable number of modern destroyers, and we have not any. The same thing is true in submarines. Perhaps, for the sake of the record, it would be well to put in the figures at this point.

Taking the present fleets, built and building, of the three countries, and assuming that nothing is added to them between now and 1936, these results follow:

On the 31st of December, 1936, the United States will have 14 destroyers under age, of a total of 14,653 tons.

Great Britain will have 30 destroyers under age, of a total of 38,581 tons.

Japan will have 68 under-age destroyers, of a total of 86,405 tons.

Fourteen for us, 30 for Great Britain, 68 for Japan; and nobody is proposing to build a single one, so far as I know, except under this treaty. That is where our supposed superiority will be by the end of this treaty period if there is no treaty, and unless we start a big building program.

In submarines, the situation is just as bad. Taking the generally accepted age limit of 13 years for submarines, which has been done, by the time the end of 1936 comes we will have 17 of them, with a total of 22,950 tons; Great Britain will have 25, with a total of 34,009 tons; Japan will have 38, with a total of 52,252 tons.

A word about submarines:

Submarines do not fight one another. I never heard of a case of two hostile submarines fighting one another. The generally recognized antisubmarine weapon is the destroyer. Consequently, the question of a ratio in submarines is of relatively no significance. The question of tonnage of submarines is of the utmost significance.

Japan came to London with three cardinal points to guide her delegation. The first was that they would insist upon a ratio of 10 to 7 in the large 8-inch cruisers, or else they would not agree to limit them. She finally conceded on that a reduction to 10 to 6, as I have explained. Next, she said she did not care what the ratio of submarines was—we might have 2 to 1 if we desired—but she must keep her present tonnage built and building, which is 78,000 tons; and her officers who were there admitted that her war plans called for a tonnage of 78,000 tons of submarines. Third, she wanted 70 per cent over all auxiliary categories.

On the second point—that is, the total tonnage of submarines—we disagreed, and wrangled for months. Taking the figures that I have read last—that is, the number of under-age submarines that Japan would have at the end of the treaty period provided she scraps everything the moment it gets over age, and does not lay down another ton additional—then she would have fifty-two thousand and some odd hundred; and we finally got an agreement with her that that would be the maximum tonnage of submarines for all of us. We were advised by our naval advisers, before we made that agreement, that in their judgment that was an agreement that was fair to both countries, and not unduly disadvantageous to the United States.

It is being very severely criticized in Japan. It is not, so far as I know, being criticized much in Great Britain. The Japanese naval officials appear to be very unhappy over the agreement on the part of their delegates to reduce their submarine tonnage from 78,000 down to 52,000.

I might say just a word about the attacks on the treaty in Great Britain and Japan. In Great Britain it is Lord Beatty, Admiral Beatty, as he was called; Admiral Jellicoe, now Lord Jellicoe; Winston Churchill, who was First Lord of the Admiralty a good many years ago; Lord Bridgeman, who was First Lord of the Admiralty up until the MacDonald government came in, supported by a great group of naval officials and Conservative politicians, members of Parliament. They are leading the attack on the treaty.

Curiously enough, everything they say might just as well be put into the mouths of the opponents of the treaty here. We were told last Thursday or Friday that this treaty "hamstrings" the United States. We find it was just a month ago when Mr. Winston Churchill told the House of Commons that this treaty "hamstrings" Great Britain. He used exactly the same word to describe it.

It is said that over in Japan it is just a squabble between the admiralty and the civilian part of the Government to see who shall have authority; that they are not displeased with the treaty. I do not know whether committing suicide as a protest against it indicates displeasure sufficiently clearly, but one officer did commit suicide. I do not know whether causing the chief of the naval staff to resign his office entirely indicates displeasure sufficiently clearly, but Admiral Kato did resign, and they are out to kill the treaty in the privy council and prevent its ratification if they can. It is not a mere question of pride of authority between the naval and the civilian components of the Government.

In every country there is some resentment against it, not through any malign or wrong motive but because there is a group of naval officials in each country trained all their lives to think in terms of war, which sees nothing but weakness in a mutual concession of the different countries, which does not

understand that mutual concession, after all, is compatible with self-respect.

That is the kind of opposition that occurs in all three countries. I make no complaint of it whatever. The treaty ought to be able to withstand criticism, or it should not be ratified. It ought to be good enough to overcome opposition, or it should not be ratified. It ought to be so patently fair to all three countries involved that it ought to be ratified in all three countries on its own terms. Otherwise somebody has taken advantage in London, somebody has won a diplomatic victory, and it ought to be shown to be a hollow victory. I do not think there was any such thing.

The agreement, as far as we are able to analyze it and understand it, is a fair and reasonable settlement. It leaves each of the three countries most concerned absolutely certain of safety in its home waters, and it ought to be; and we could not fairly ask any other country, except a defeated enemy in war, to accept any other kind of a bargain than that.

Mr. President, a word now about France and Italy. It is not a secret that there was friction between France and Italy at the conference; that Italy had just one principle in her policy, and that was parity with France, at any figure, anywhere, but parity always. France felt that she could not concede that, and as a result we were unable to get those two countries to agree to part 3 of the treaty, where the tonnage limitations were put in. They all agreed to everything else, among other things, the provisions for the humane use of submarines, which I believe will be kept, which I believe would have prevented a lot of the horrors of the last war had they been in effect at that time. I think those have a value. France and Italy have agreed to them.

It is in the highest degree reassuring to find that sober second thought in those countries is rising to supersede the stiff attitude of the delegates of those countries, and that last night and to-day the press announces that those two countries have agreed to prolong a holiday in naval building for the balance of this year, to lay down no new tonnage for the rest of this year, and during that holiday to get together and try to agree upon a limitation which can be signed up and coupled up with Part III of this treaty. That is one of the most encouraging things which has happened since the conference disbanded. It looked for a while as if France and Italy were going into a naval race which might be extremely embarrassing to the other countries of the world. That was why the so-called escalator clause was put in.

The only thing that would ever in all human probability be resorted to under the escalator clause would be an increase in the British destroyer fleet to meet the very extensive submarine-building program which France has been threatening. If it were used in that way the result would be not any new building, necessarily, but merely that Great Britain and Japan and ourselves would not scrap down our existing destroyers to the same point we otherwise have agreed to.

It is argued that the escalator clause is capable of abuse, capable of being treated in a way which will not be quite honest or fair to the other countries who are parties to the treaty. Any of us can do that. The escalator clause gives no privilege to Great Britain that it does not give to Japan or to us. The whole thing is a matter of good faith. But it is going to be observed with the most scrupulous good faith, just as the Washington treaty has been. We are not guessing about that. The most punctilious care has been shown by the different countries concerned to avoid any breach of the terms of the Washington treaty, including all these highly technical terms for scrapping and disarmament. Of course, the same scruple will continue to be shown in the use of this treaty and in its observance. I have no doubt whatever but that the escalator clause will go through unused to the end of the treaty. But, similarly, I can readily see that no nation in Europe, under present-day conditions, could afford to tie its own hands unless the hands of its neighbors were similarly tied.

The escalator clause, perhaps, has something to do with the news in this morning's paper that France and Italy will suspend the building of new ships. If the escalator clause were not there, it is possible there would be additional reasons for those countries going on to build, and they might not so suspend their new construction.

The French and Italian problem is not as easy of solution as some people think. Those countries are close neighbors, they use the same sea, they have a common frontier, each of them has a very considerable sea-borne commerce. It is only a part of the time that France is self-supporting, and Italy never yet has been. She must import lots of her foodstuffs, and France must import foodstuffs part of the time. It is not entirely easy

to settle all their difficulties as it would be if they were separated by a wide ocean. It is not always easy for them to forget that Savoy, from which the royal family of Italy comes, is at present owned by France, and they have points of conflict down in northern Africa, a large Italian colony settled in a French province called on to perform military service. A quarter of a million people live there, and Italy does not want them drafted into the French Army. There are points on the frontier as it runs down into the desert where no man knows where the boundary between the two nations is. There has been constant friction there. There are dozens of questions to be adjusted between them before they can with much assurance of safety resort to a limitation agreement.

Both countries have very ambitious programs. Both of them have announced large schedules of shipbuilding. Recently France announced that she was going to make another Gibraltar out of the island of Corsica, and those things keep stirring up irritation. So it is in the highest degree encouraging to find that they have now between themselves agreed on a sort of naval holiday for the balance of this year, and have agreed to sit down and try to work out their problems by themselves. I think all of us must wish them well in the effort, because it means much to the peace of the world.

Now, Mr. President, I have finished. For the first time in history all categories of ships have been limited. Competition is not, as under the Washington treaty, transferred from one category to another. There is no place now for it to go in naval armament.

I believe that the ratification of this treaty in the three countries most immediately concerned will make for the peace and the happiness of all three peoples, and that it will not in any way jeopardize the real safety of any one of the three countries concerned.

Mr. JOHNSON. Mr. President, will the Senator yield for a question now?

The PRESIDING OFFICER (Mr. ROBSON of Kentucky in the chair). Does the Senator from Pennsylvania yield to the Senator from California?

Mr. REED. Gladly.

Mr. JOHNSON. Has the Senator a copy of the proposition that was made by the American delegation in reference to the American Navy, of date, I think, February 5, 1930?

Mr. REED. I think so.

Mr. JOHNSON. Will the Senator produce it?

Mr. REED. Yes; I will be glad to produce it to the Senator.

Mr. JOHNSON. I shall put it in the Record.

Mr. REED. The Senator does not need to do that. I will put it in the Record. I ask that it be placed in the Record at this time.

The PRESIDING OFFICER. Without objection, the document will be printed in the Record.

The document is as follows:

TENTATIVE PLAN OF THE AMERICAN DELEGATION, FEBRUARY 5, 1930

I. Cruisers		
FOR UNITED STATES		
Type		Total tons
Eighteen 10,000-ton cruisers, carrying guns of 8-inch caliber	180,000	
Ten existing <i>Omahas</i>	70,500	
New cruisers, carrying guns not exceeding 6-inch caliber	76,500	
		327,000
(a) The United States shall have the option of the following:		
Type		Total tons
Fifteen 10,000-ton cruisers, carrying guns of 8-inch caliber	150,000	
Ten existing <i>Omahas</i>	70,500	
New cruisers carrying guns not exceeding 6-inch caliber	118,500	
		339,000
FOR GREAT BRITAIN		
Type		Total tons
Eleven 10,000-ton cruisers, now completed, carrying 8-inch guns	110,000	
Two 10,000-ton cruisers, now building, carrying 8-inch guns	20,000	
Two 8,400-ton cruisers, now building, carrying 8-inch guns	16,800	
Fourteen new cruisers, mounting 6-inch guns	91,000	
Twenty-one existing cruisers, mounting 6-inch guns	101,200	
		339,000
(a) Great Britain may retain four cruisers of <i>Hawkins</i> class, carrying 7.5-inch guns, until replacement by 6-inch cruisers. To be replaced by 1934-35.		
(b) Great Britain shall have the option of the following:		
Type		Total tons
Eighteen 10,000-ton (or smaller) cruisers, carrying guns of 8-inch caliber	176,800	
Carrying guns of 6-inch caliber:		
New	75,000	
Existing	75,200	
		327,000

Type	FOR JAPAN	Total tons
Four 7,100-ton cruisers carrying 8-inch guns.....		28,400
Four 10,000-ton cruisers now completed carrying 8-inch guns.....		40,000
Four 10,000-ton cruisers now building carrying 8-inch guns.....		40,000
Seventeen cruisers carrying guns not exceeding 8-inch caliber.....		81,455
Existing or new cruisers carrying guns not exceeding 6-inch.....		8,800
		198,655

Replacements

1. No cruiser may be replaced until it shall have reached a life of 20 years from date of completion, unless it shall have been lost through an accident.

2. Tonnages are given in Washington standard tons.

3. Old tonnage may be retained over the age limit if not replaced, but the right of replacement is not lost by delay in scrapping after reaching the age limit.

Destroyers

Total tonnage of destroyers and destroyer leaders shall be:

For United States.....	200,000
For Great Britain.....	200,000
For Japan.....	120,000

1. Existing destroyers and leaders may be retained and vessels building may be completed up to the above total allowed tonnages.

2. Existing vessels shall not be scrapped except to comply with the allowed tonnage until the vessel has reached an age limit of 16 years.

3. Old tonnage may be retained over the age limit if not replaced, but the right of replacement is not lost by delay in scrapping after reaching the age limit.

4. No new vessels shall be laid down prior to December 31, 1936, except to replace vessels reaching the age limit or lost through accident.

5. Maximum unit displacements shall be limited as may be agreed upon in conference. We suggest 1,850 tons for United States, Great Britain, and Japan, and 3,000 tons for France and Italy.

Submarines (if retained)

Total tonnage of submarines shall be:

For United States.....	60,000
For Great Britain.....	60,000
For Japan.....	40,000

1. Existing submarines may be retained and vessels building may be completed up to the above total allowed tonnages.

2. Existing vessels shall not be scrapped except to comply with the allowed tonnage until the vessel has reached an age limit of 13 years.

3. No new vessels shall be laid down prior to December 31, 1936, except to replace vessels reaching the age limit or lost through accident.

4. Submarine tonnages are given in Geneva standard tons, surface condition.

5. Maximum unit displacement shall be limited as may be agreed upon in conference.

6. Old tonnage may be retained over the age limit if not replaced, but the right of replacement is not lost by delay in scrapping after reaching the age limit.

7. Submarines to be limited to the same rules of international law as surface craft, in operations against merchant ships.

Battleships

1. The replacement tables of the Washington treaty are modified as follows to comply with these principles:

(a) Immediate scrapping of old ships down to a total of 15-15-9.

(b) No new ships to be laid down prior to December 31, 1936, except as provided below in paragraph 4.

(c) Each nation may retain two old battleships for training purposes or for use as targets, provided these vessels shall be rendered incapable of further warlike service, as prescribed in the Washington treaty.

2. Tonnages are in Washington standard tons. Three thousand standard tons have been added to each of the *Idaho*, *Mississippi*, and *New Mexico* to allow for future modernization.

3. Should any provision be made for replacements of battleships, each nation may retain old tonnage if not replaced, and the right of replacement of that tonnage is not lost by such postponement.

4. In order to realize now the parity of battleship tonnage which was ultimately contemplated by the Washington treaty by balancing the *Rodney* and *Nelson*, the United States may lay down one 35,000-ton battleship in 1933, complete it in 1936, and on completion scrap the *Wyoming*. If the United States shall exercise this option, then a similar option as to replacing one capital ship shall be granted to Japan.

5. "Modernizing" existing ships includes increase in gun elevation.

6. The foregoing principles will result in a schedule substantially as follows:

	FOR UNITED STATES	Standard
1. Scrap <i>Florida</i>		21,900
<i>Utah</i>		22,000
<i>Arkansas</i>		26,100
Total.....		70,000

	Standard
2. Total tons now on hand.....	532,400
Scrap in 1930-31.....	70,000
Remaining Jan. 1, 1936.....	462,400
Scrap <i>Wyoming</i> in 1936.....	26,000
1 new ship.....	436,400
	35,000
	471,400

FOR GREAT BRITAIN

1. Scrap <i>Iron Duke</i>	26,250
<i>Marlborough</i>	26,250
<i>Emperor of India</i>	26,250
<i>Bombay</i>	26,250
<i>Tiger</i>	28,900
Total.....	133,900
2. Total tons now on hand.....	606,450
Scrap 1930-31.....	133,900
Remaining until Dec. 31, 1936.....	472,550

FOR JAPAN

1. Scrap <i>Kongo</i>	26,330
2. Total tons now on hand.....	292,400
Scrap in 1930-31.....	26,330
Remaining until December 31, 1936.....	266,070
Scrap <i>Hiei</i> in 1936.....	26,330
The new ship.....	239,740
	35,000
	274,740

The minimum limitation of 10,000 tons shall be stricken from the definition of aircraft carriers in the Washington treaty, so that all such vessels shall be charged against the permitted tonnage.

Exempt class

(a) That all naval surface combatant vessels of less than 500 tons standard displacement be exempt.

(b) That all naval surface-combatant vessels of 500 to 3,000 tons individual standard displacement should be exempt from limitations, provided they have none of the following characteristics:

- (1) Mount a gun greater than 5-inch caliber.
- (2) Mount more than two guns above 3-inch caliber.
- (3) Are designed or fitted to launch torpedoes.
- (4) Are designed for a speed greater than 16.5 knots.

(c) That all naval vessels not specifically built as fighting ships nor taken in time of peace under government control for fighting purposes, which are employed in fleet duties or as troop transports or in some other way other than as fighting ships, should be exempt from limitation, provided they have none of the following characteristics:

- (1) Mount a gun greater than 6-inch caliber.
- (2) Mount more than four guns above 3-inch caliber.
- (3) Are designed or fitted to launch torpedoes.
- (4) Are designed for a speed greater than 16.5 knots.
- (5) Are armored.
- (6) Are designed or fitted to launch mines.
- (7) Are fitted to receive planes on board from the air.
- (8) Mount more than one airplane-launching apparatus on the center line; or two, one on each broadside.

(d) Certain existing vessels of special type to be exempted by mutual agreement.

Mr. JOHNSON. I thank the Senator very much. It is the first time that has been done, and that paper is one of those under embargo from the Secretary of State, which he says is confidential, and about which we can not even communicate with one another.

Next, Mr. President, if the Senator will permit me, has the Senator a copy of the Japanese response or proposal made on the 3d day of April, 1930?

Mr. REED. I am not sure about that. I will look for it, and let the Senator know to-morrow.

Mr. JOHNSON. I wish it for the purposes of the Record. That is my reason for querying about it.

Mr. BLAINE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Wisconsin?

Mr. REED. I yield the floor.

Mr. JOHNSON. I yield to the Senator from Wisconsin.

Mr. BLAINE. Will the Senator have the document read, so that the Senate may be advised of its contents?

Mr. JOHNSON. Yes; I want to read some parts of it myself. But there are some other documents concerning which I wish to ask the Senator from Pennsylvania.

I ask the Senator from Pennsylvania was the particular document which the Senator at my instance places in the Record for the Senate of the United States now the result of five tentative propositions of like character?

Mr. REED. The delegation, after it had heard all these experts day after day, had been expecting that we would get a proposition in some form from some other country, probably England, and we did not get it. It became obvious that somebody ought to take the initiative, so we set about the preparation of a proposition, or a plan, as it was called, and it was put in five or six successive mimeographs, I do not remember how many. It had to be corrected, just like drawing a contract in a law office, changing the wording and correcting it; but it never was shown outside.

Mr. JOHNSON. Substantially the terms, however, of the various tentative plans were like the terms of the proposition which has been put in evidence here?

Mr. REED. Yes; they were.

Mr. JOHNSON. That is the point I desired rather than to trouble the Senator about the various tentative items.

Mr. REED. I do not remember the differences between them. Sometimes it was only a matter of wording. Sometimes there may have been a figure changed here or there, but nothing of very much importance. The first draft was already gathered up and destroyed because we did not want to get them confused. Sometimes we found we were mixing the second draft with the third, and the different delegates would have different copies instead of all looking at the same copy.

Mr. JOHNSON. If the Senator will recall, the date they began preparation of these drafts was in the latter part of January, was it not?

Mr. REED. I do not remember the exact date, but it was around the 29th, or thereabouts.

Mr. JOHNSON. I think that is correct. I ask the Senator if on the 3d day of February, 1930, in company with Mr. Stimson, Mr. Morrow, and Mr. Adams, the Senator called upon Mr. MacDonald and Mr. Henderson and demanded twenty-one 8-inch-gun cruisers?

Mr. REED. I do not remember the date, but it was about that time that we decided that we would try it.

Mr. JOHNSON. Did Mr. MacDonald at that time reply that the suggestion was more impossible than it had been during the previous summer?

Mr. REED. I think he said something like that.

Mr. JOHNSON. Does the Senator recall that in the Japanese proposal or response the Japanese made certain distinct reservations?

Mr. REED. The Japanese sent back an answer demanding a great deal more than our proposition suggested for them.

Mr. JOHNSON. No; I mean when finally the Japanese accepted the proposition.

Mr. REED. The Japanese had no reservations that are not embodied in the treaty as it has been submitted to the Senate.

Mr. JOHNSON. Does the Senator recall whether the Japanese made this statement in their response to the proposition made in relation to the navy which has been placed in the Record here?—

It is, however, understood that the plan under review is intended merely to take care of the situation up to 1936 and as to the naval strength to be possessed by the powers concerned thereafter they will be discussed and decided anew by the conference of 1935.

Mr. REED. That is what the treaty provides.

Mr. JOHNSON. Does the Senator recall that is what the Japanese insisted upon having?

Mr. REED. Why, of course. The Japanese insisted on a lot of things. This was a continuous process of "horse trading" that went on for nearly four months.

Mr. JOHNSON. But this insistence to which I refer was at the conclusion. I am asking if the Japanese indulged in that insistence then?

Mr. REED. The Japanese said, "We are not going to be bound beyond the period of the treaty and we are going to be perfectly free to make such claims as we please in 1935," to which we replied, "That is exactly our position. If you have the right to claim 10-7 or 10-20 or whatever you please, we have the right to claim 10-1." Everybody understands that, and the treaty says it. Why make a mystery of that?

Mr. JOHNSON. There is no mystery. The treaty says it, as the Senator says, very distinctly. The Japanese say that we are to build but 15 cruisers during the life of the treaty, and the treaty says it in substance, too.

Mr. REED. The treaty says we are going to finish 16.

Mr. JOHNSON. No; it says we are going to finish the sixteenth by the end of 1936 or in 1936.

Mr. REED. Oh, no; it says in 1936.

Mr. JOHNSON. In 1936 we are going to finish the sixteenth, but in 1935 when we have 15 then the Japanese again are going to renew their position?

Mr. REED. What if they do? We are going to renew our insistence.

Mr. JOHNSON. I am asking if that is the fact.

Mr. REED. I suppose they are. I would expect them to do so, and I would expect us to refuse them.

Mr. JOHNSON. Does the Senator recall what was the proposition in submarines that was presented?

Mr. REED. I think the first suggestion was 60,000 tons for us and 40,000 tons for Japan.

Mr. JOHNSON. Sixty thousand for us, 60,000 for Great Britain, and 40,000 for Japan?

Mr. REED. That is my recollection. Of course, their first suggestion was parity. We suggested that nobody should add anything, but Japan at first did not agree to that.

Mr. JOHNSON. Japan would not agree to 60,000-40,000?

Mr. REED. Of course not. We did not expect them to do so.

Mr. JOHNSON. That is the reason why they were asked?

Mr. REED. Of course, we asked more than that.

Mr. JOHNSON. Is that the reason why you asked 180,000 tons of eighteen 10-inch-gun cruisers?

Mr. REED. We had previously asked for 21, but we knew that could not be done.

Mr. JOHNSON. Does the Senator know whether 23 had been asked in the previous summer?

Mr. REED. I am not sure. I do not remember.

Mr. JOHNSON. Does the Senator recall bringing this particular document in to the experts?

Mr. REED. Mr. President, I am delighted to answer any proper questions, but I decline to be cross-examined here. The rules of the Senate provide that the Senator shall address himself to the Chair, and I am sure the Senator does not want to make this look like a police-court grilling.

Mr. JOHNSON. No; I have no such intention. If the Senator declines, that is the end of it.

Mr. REED. I do not decline.

Mr. JOHNSON. I understood the Senator to say that he did.

Mr. REED. No, I simply do not like to be cross-examined in this police court fashion.

Mr. JOHNSON. That may be so.

The PRESIDING OFFICER. The Senator from Pennsylvania insists that the Senator from California address the Chair and then he will yield.

Mr. JOHNSON. But I believe I have the floor, Mr. President, and I have asked the Senator from Pennsylvania if he would answer certain questions. If the Senator from Pennsylvania does not wish to answer those questions, very well. If he does, I will proceed.

Mr. REED. Let us follow the practice of the Senate; that is all.

Mr. JOHNSON. But the practice of the Senate is being followed. There is no need of any such statement in regard to the practice of the Senate. I am doing this because it is the first opportunity we have had to do it. That is the reason. This is the first time outside of a radio address that the Senator from Pennsylvania has indulged in any detail in respect to the treaty.

Mr. REED. Mr. President, when the treaty was laid before the Foreign Relations Committee, at the very first meeting of that committee on the treaty I offered then and there to make a statement about it or to answer any questions about it.

Mr. JOHNSON. I never heard any such offer made in the Foreign Relations Committee, or anything of that sort or of that character.

Mr. REED. In fact, I was anxious to do it. I think the Senator from Idaho [Mr. BORAH] will bear me out.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Idaho?

Mr. JOHNSON. I yield.

Mr. BORAH. My understanding was that both the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] offered to answer any questions the committee wanted to ask them.

Mr. JOHNSON. That might be the understanding of the Senator from Idaho. I had no understanding of any offer that was made by either one of the Senators to the committee. They may have made it and I may be in error, but that is my recollection of it.

Mr. REED. Furthermore, again and again I have offered, publicly and privately, to show the Senator all these mysterious secret documents.

Mr. JOHNSON. Now, just listen to that! The Senator has offered publicly and privately to show me these documents which he has in his possession and which I can not discuss with anybody on earth and concerning which I must maintain invio-

late secrecy. What sort of an offer is that? I can not understand men who would accept that kind of an offer in the first place.

Mr. REED. Quite a number of Senators have accepted it.

Mr. JOHNSON. I can not understand them, I say to you, sir, and I can not understand the temperamental make-up of the Senator who makes the offer to one of his colleagues in this body. That may be a difference in temperament. It may be a difference in disposition. It may be a lack of understanding of the situation. But, sir, I think that it is, though not intended as such, but little short of an insult for one of my colleagues to say to me, "I have all the evidence that pertains to what is pending in the United States Senate, which is a part of your duty as well as mine, and with all of this evidence which I have in my possession I will permit you to come into my parlor and read what I have, provided you never will permit it to be used and never will use it yourself."

I said the other day, and I repeat now, that kind of an offer, thank God, it is not in my make-up to accept. I do not care whether one man or another in this Chamber has walked meekly in, sat down at the feet of the Senator from Pennsylvania, asked him in humble fashion to permit him to see the documents which it is their right to see under all circumstances, and then walked out hat in hand thanking the Senator from Pennsylvania for the high privilege that he has extended to them. That, sir, I have little idea of doing. That, sir, I never would do. That, sir, I think, is a kind of permission granted in this body that any man in this body, who has the feeling at least that I have of self-respect, would never for an instant tolerate and never for a quarter of a second accept.

Now, sir, let me refer again to this document which is presented here for the first time. Here, held in my hand, for the first time in the history of this treaty is the proposition made by the American delegates to the London conference. Denied we have been heretofore, unless, of course, we went and asked the Senator from Pennsylvania to permit us to see it. But finally it is here, and it answers some things concerning which the Senator from Pennsylvania has been speaking, which we will make increasingly plain as the debate proceeds.

But finally, sir, let the Senate feel that it has accomplished something. Here is the offer which was made by the American delegates at London concerning the national defense and the treaty, which ought to have been within the knowledge of every one of us in this body. Finally we have obtained it here to-day at the conclusion of the speech of the Senator from Pennsylvania. Doff your hats, ye gentlemen upon this side of the Chamber who have been to his office and read his papers. Thank him, thank him, all of ye, that he has accorded you finally the right to look at this document disclosing how your country's Navy is disposed of and what has been done in regard to that Navy and in respect to your Nation's defense.

Mr. President, I suggest the absence of a quorum, because I am taking the time of another who wanted to address the Senate at the moment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Glenn	Metcalf	Steiwer
Bingham	Goldsborough	Norris	Stephens
Black	Greene	Oddie	Sullivan
Blaine	Hale	Overman	Swanson
Borah	Hastings	Patterson	Thomas, Idaho
Capper	Hebert	Philips	Townsend
Caraway	Johnson	Pine	Vandenberg
Copeland	Jones	Reed	Wagner
Couzens	Kean	Robinson, Ark.	Walcott
Dale	Kendrick	Robinson, Ind.	Walsh, Mass.
Deneen	Keyes	Robison, Ky.	Walsh, Mont.
Fess	McKellar	Sheppard	Watson
George	McMaster	Shortridge	
Gillett	McNary	Smoot	

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present.

Mr. HARRIS. Mr. President, I merely desire the RECORD to show that I was present on the roll call. I came into the Chamber within a minute after the roll call was completed, but evidently the roll was called faster than usual, otherwise I would have had plenty of time to reach the Senate.

The VICE PRESIDENT. The Senator's statement will be entered in the RECORD.

Mr. ROBINSON of Indiana. I suppose, Mr. President, that every Member of this body is interested in the safety and security of the United States. I would not for a moment impugn the motives of any Member of the United States Senate nor of any member of our delegation at the London Naval Conference. I believe those who represented this country there were patriotically inspired; I believe they had the best interests of their country at heart. I have also great regard for the ability of the American plenipotentiaries as well as for their integrity.

The question of whether this treaty should be ratified or not has nothing to do with considerations of that kind. There is only one question involved, as I see it, and that is, Is it better for the United States of America and the citizens of this country that this treaty shall be ratified, or would the country be better off without its ratification? Manifestly, if the treaty will work to the welfare of America, it should be ratified; if the treaty will be against the best interests of the American people, it should not be ratified. Whether we ratify it or not, Mr. President, there can not be the slightest reflection, as I see it, cast upon those charged with the responsibility of negotiating it in the first instance.

I have been alarmed in these latter days by the spirit of internationalism in this country. It seems almost as if the old American nationalism were passing. Indeed, Mr. President, champions can be found in America to-day in the forum and in the press for Great Britain, for Japan, for France, and for other nations of the world, but it seems as if more recently men hesitate to say a good word for America. It seems strange to me that one should be penalized for standing for the best interests of his own country, for insisting that above all else America should have a square deal. We should not be nearly so much concerned with what Japan will get out of this treaty for her benefit or what Great Britain will get out of it as we should be concerned about what this country will get from the treaty and how much benefit we may reap therefrom.

Mr. President, America has always been proud of her Navy, and the American Navy has justified itself throughout the entire existence of our country. From the days of John Paul Jones and the Revolution down to this very moment the Navy has been our first line of defense. What glorious deeds it performed in the Revolution! It is true, Mr. President, that the continental forces under Washington, the great patriot and leader, did marvelous things on land, but it was essential that a navy be organized and be in operation if the American cause were to succeed; and I think historical authorities generally to-day will agree that in the end our cause could not have succeeded had it not been for the Navy of that day. That has been true throughout all of our wars until the present time. How strange, therefore, Mr. President, it seems that responsible statesmen in this country not only in the press, not only by means of radio addresses, but on the floor of the Senate should attempt to cast aspersions against the personnel of that great fighting force, without which America could never have risen to her present grandeur and glory. Where would we be without the Navy? And yet statesmen in this country will deliberately in prepared addresses intimate that the high officials of the American Navy are entirely without their realm in attempting to suggest advice to civilian negotiators of treaties designed to limit the forces which they have to use in protecting and safeguarding the Nation's life. Men stand on this floor—God save the mark!—and cast slurs and aspersions on this marvelous personnel of which we should be so vastly proud.

I am wondering what we are coming to in these latter days when things of this sort can take place. Aye, in case of war, in case of disturbance, in case of peril, in case of jeopardy to our national existence we turn instinctively to the Navy and to those in command of the Navy. They are good enough then to go out and risk their lives and give their lives and sink with their ships, if need be, for the protection of the country. But when it comes to negotiating a naval treaty which limits the implements with which they work, they should say nothing, according to these civilian authorities, who immediately, at the beginning of the negotiations, insist, impliedly at least, that they know more about what the Navy requires than those who have studied the problem all of their lives.

I, for one, honor this magnificent fighting force, and I give credit to the expert opinions of these men, and the Nation honors them; and in my opinion the Nation does not share in the slightest degree the attitude of those who cast slurs and aspersions on this splendid fighting force that stands ever between this country and disaster.

Mr. President, it has been interesting to me for quite some time now to note the fervor with which Members of this body and others in high places insist that a 6-inch gun somehow or other is better than an 8-inch gun. In other words, I have been amazed, especially since the models were placed in this Chamber, in looking them over, to find that there are those on this floor who insist that the smaller gun, somehow or other, is more effective than the larger gun.

Here they are, in the relative size; and I have been wondering how that tiny thing there can bring about more disaster on the sea than the large equipment with the 8-inch gun.

I do not pretend to be a naval expert. There are many things about armament that I do not understand; but I have eyes, vision; and it just seems to me, as I look at this tiny thing

here in comparison with the larger turret with the large guns, that somehow or other this little thing can not shoot as hard and as effectively as the big thing; and I am amazed that anyone on this floor would attempt to say that the smaller apparatus is stronger and more effective than the larger.

Mr. President, the whole history of limitation has been interesting. I think we have been engaged in six major conflicts during 154 years of glorious history. Let it be understood that in all of those six major conflicts we have been free to do as we chose, to build as we desired, to use the equipment we wished to use; and as a result of that fact we have never lost a war and our Navy has always performed splendidly and in the most superb manner. We have been proud of those in charge of the Navy. We have reposed in them the utmost confidence, and we have listened to them in building the equipment they desired. Never until 1921 and 1922, following the last Great War, have we undertaken to take out of the hands of the Navy and its personnel the implements which they required in order to defend the country.

Let me not be misunderstood, Mr. President. I believe in honest limitation. I am perfectly willing to agree with the other powers that we shall limit our armament, that we shall limit our ships of war, that we shall enter limitation agreements generally; and I do not desire more than parity with other nations. But, Mr. President, that is as far as I would go. I would never consent to ratify a treaty that gave us less than parity with any nation on the face of the globe; and, so far as other nations are concerned, if they be in a position to threaten us or menace us in any way, then if I consented to an agreement limiting armaments, limiting naval equipment, I would insist on a ratio with them that would be fair to the United States, and only a ratio that would protect us in the event of possible hostilities.

Nobody desires war. We all desire peace with all the world; but we must not blind ourselves to the fact—the possibility at least—that war may come. We have never desired war; we have always sought peace; and yet, Mr. President, as I pointed out a moment ago, in 154 years we have nevertheless been forced to engage in six major conflicts. I do not know what the future holds; but, if history repeats itself, in the next 54 years and a century we shall be engaged in six more major conflicts, and in that event we must be prepared to defend our heritage. We are but trustees for those who come after us, inheritors, if you please, of a glorious country, of a glorious past, and marvelous traditions. We must perform our duty, however, that we may not be censured by those who follow us; and if we agree to a limitation treaty that makes it impossible for those charged with defending the Nation to do so adequately because we have denied them the implements with which to fight, there is no one who would stand up to defend us in the days to come.

Mr. President, in 1921 the first naval limitation conference was called in Washington by the late President Harding, and it was concluded in 1922. The facts have been brought out. I refer to them only for a moment, and very briefly, in order to suggest what I may mention afterwards. We had then, as is known to all the world, built and building, the most powerful Navy that ever had been conceived in the mind of man of any nation. We were superior to Great Britain then in naval power, and potentially vastly superior; and, of course, being superior to Great Britain, we were superior to any other nation on the face of the globe. How much did we gain from that superiority? I have been given to understand lately by some of those who negotiated the London treaty that the chief reason we could not do better there, or they could not do better for us, was the fact that we had no trading stock; that somehow or other, because we had gone along not building as rapidly as other nations had built during the past eight years, we were handicapped. If that be true, then we are handicapped either way. Mr. President, because in the Washington conference of 1922 we had a vastly superior navy, built and building, to any in the world; and what did we get out of that? Why, in the very arms where our superiority existed we accepted less than parity. I refer to battleships and battle cruisers, aircraft carriers, capital ships generally. While it was assumed that the arrangement made brought about equality on the sea in these vessels between Great Britain and the United States, it is generally conceded now that with the building of the *Rodney* and the *Nelson* of the superdreadnought type Great Britain got far the better of it, while we scrapped ships on which we had then paid more than \$150,000,000.

We also agreed on the 5-5-3 ratio there. It was difficult to get Japan to agree to this ratio. Japan refused at first. That is generally known. Finally, in consideration for Japan's accepting the 3 to 5 arrangement, America in her turn agreed not to fortify any bases or possessions in the far Pacific. That

was the consideration. Japan accepted that consideration, and with it the 3 to 5 arrangement. Subsequently, it was considered that all the world accepted—or, at any rate, the high contracting parties accepted—the ratio in principle 5-5-3.

Immediately after the Washington conference Great Britain and Japan undertook enormous building programs. Only capital ships and aircraft carriers were limited definitely by the treaty of 1922; that is true; but the conference also agreed that in the future any nation could build as many cruisers as it desired, provided they were not greater than 10,000 tons, carrying guns of no larger caliber than 8 inches. What was the action of the three great powers at that time? Why, so far as the United States was concerned, we simply stood still. We carried out the terms of the treaty in spirit as well as by letter.

We assumed that in the interest of economy for the taxpayers of all nations in the world there would be general limitation; that there would be a general disposition not to spend money any further on navies, and feeling that way about it, always in good faith ourselves, as America, thank God, has always been in good faith and has always kept faith with other governments, we made no attempt to build warships of any kind for the first few years. We trusted the other powers as well.

What was the position of Great Britain and Japan immediately? Since the largest ships which could be built uninterruptedly under the Washington treaty were cruisers of 10,000 tons, carrying 8-inch guns, immediately Great Britain began building such ships, and so did Japan. Feverishly they rushed the completion of cruisers of that type.

We did nothing until 1924. We still hoped that other nations would follow our example and cease building; but they did not. They were so anxious, apparently, to gain an advantage over this country, and England was so anxious to continue as mistress of the seas on the 2 to 1 basis, that their building programs, instead of being decreased, were expanded. So in 1924 Congress authorized the building of eight of these treaty cruisers, namely, the 10,000-ton cruisers carrying 8-inch guns. Then we continued to wait to see what these other countries would do. They kept on building, and this indicates to some extent why they have the superiority, or did have the superiority they possessed at the London conference.

In the summer of 1927 President Coolidge interested himself in having the powers get together at Geneva to attempt again to apply the ratio of 5-5-3, and, what was just as important, limitation to auxiliaries below the capital-ship class—cruisers, destroyers, and submarines.

Most careful preparation was made for that conference by the American delegation attending it at Geneva. The General Board of the Navy was consulted, and probably the greatest expert in our Navy, Admiral Jones, was made one of the principal experts to be relied upon. The Geneva conference was held in due time.

Mr. President, the same identical questions arose there that were discussed at London. America at Geneva in 1927 insisted on her right, subject only to the restrictions of the Washington conference, to build the kind of cruisers she desired. Great Britain insisted on dictating the kind of ships this country should build. The delegates worked for weeks there trying to reach an agreement, but the American delegation said, substantially, "Under no circumstances will we permit a foreign power to tell the United States what kind of ships she must build under any treaty."

Mr. President, we did not try to tell Great Britain and Japan at Geneva the kind of ships they should build. We said, "Let us agree on tonnage," and if we were to have a total tonnage, it was suggested by our delegation at Geneva that that tonnage be somewhere between 250,000 and 300,000 for cruisers. "Let the tonnage be agreed upon and then, after the tonnage is agreed upon, let Great Britain and Japan build the kind of cruisers they desire, but let the United States also build the kind that she requires for her safety, subject only to the terms of the Washington treaty."

That did not satisfy Great Britain. She insisted then, as she has ever insisted, that the category of cruisers should be divided into subcategories and that we should build only a certain number of 8-inch-gun cruisers and that we would have to build a certain number of 6-inch-gun cruisers, for which we have no need. But our delegation at Geneva stood fast. They said to Great Britain substantially this, "All over the world you have your naval bases, so that your trade routes everywhere are protected, and your merchant ships can go and come knowing that there are sheltering harbors everywhere to receive them, and that smaller cruisers, with narrow cruising radius, can be used, working in and out and operating short distances from these naval bases; what you require is numbers of cruisers to protect

your merchant marine, your ocean-borne trade. What the United States requires is larger cruisers, with wider cruising radius, because we have no naval bases to speak of anywhere in the world. Our ocean trade is practically as large as yours and will soon be much greater, and it must be safeguarded if war should come. There must be detached cruisers protecting it, and, if we should be engaged in hostilities, cruisers which can go far from the home base on the coast east or west of the United States, protect our own and destroy enemy commerce, and, having no naval bases, we must have ships with this wide cruising radius, with the heaviest armaments permitted, which can not only get there and do the work but get back to the home ports, and which will have guns big enough to protect them both offensively and defensively."

That was fair. If Great Britain desired to build up her whole tonnage in 8-inch cruisers, we had no objection; but, on the other hand, we said, "If we desire to build that kind of cruisers, then you should have no objection."

What was the net upshot of it all? The result of it all was this: That rather than surrender to Great Britain, rather than yield American safety and security, rather than jeopardize the American people, rather than handicap the American Navy so that it could not perform its functions necessary in the possibility of war, the conference broke up. The American delegation said, "We will not surrender."

How different from the action of our delegation at London! When the same questions arose the American delegation at Geneva said, "We will not surrender. We will not imperil American safety and security just for the purpose of getting a treaty." They were backed by the Department of State, they were backed by President Coolidge, and our delegation came home, not with a treaty, but, thank God, they came home amid the plaudits of the American people, who were left free to build the kind of ships they desired, with no agreement limiting them, and with the praise of the Nation ringing in the ears of the personnel of the American Navy.

How different in the last three years! What has wrought this change in three years' time when suddenly the Navy is repudiated, and those brave, gallant members of the personnel of the Navy of the United States are slurred and slandered and criticized for daring to stand up for the American flag on the seven seas and for its proper defense?

It is interesting to see just what occurred at Geneva. The same identical questions arose, and I want to read just a little from the record of the proceedings of what happened there. Hon. Hugh Gibson was the chairman of the American delegation at Geneva. Bear in mind, that was but three years ago. Finally, just before the conference broke up, Mr. Gibson spoke to the delegations of the various powers, and I want to quote from that speech the following:

Gentlemen, on behalf of the American delegation I should like to supplement what has already been said by Mr. Bridgeman and by Viscount Ishih by expressing our earnest hope that the discussions which have thus far taken place and which are continuing in a spirit of the greatest friendliness and cordiality may lead to an acceptable agreement. The methods which we have pursued in dealing with the problems of the conference have perhaps in themselves created a less optimistic impression than would have been the case had we begun with the simplest problems, announced their solution, and then proceeded to deal with the more serious difficulties. We were agreed, however, that the cruiser problem presented the greatest difficulties and that, if it could be solved, we should quickly reach agreement on the numerous secondary questions which must be settled before we can draw up a treaty.

I think it is generally agreed that this was the best method of approach, inasmuch as it would obviously be futile to confine ourselves to a limitation of other auxiliary craft and not deal with the fundamental question of cruisers.

Mr. President, let me suggest right here that this is the big question. It was the question at London. It has been the question ever since 1922. Some of the Members of this body talk about three cruisers, whether there shall be three cruisers with 8-inch guns or four cruisers with 6-inch guns, as if the question were no more than that. Well, it was of sufficient importance that at Geneva it broke up the conference, and in London it would have broken up the conference had not the American delegation surrendered to the British viewpoint.

Said Mr. Gibson further at Geneva:

As stated in our original proposals, we are desirous of agreeing upon a genuine limitation of all classes of auxiliary craft and have suggested certain tonnage levels for the various categories as a basis of discussion, namely, 450,000 to 550,000 tons of surface auxiliary craft in two classes, cruisers and destroyers. At the same time we expressed a readiness to go to still lower tonnage levels if this was agreeable to the other powers. It would be with the greatest reluctance that we would

go to any higher tonnage levels, and then only if such higher levels constituted a real limitation of existing programs of naval construction and furnished the only possible meeting ground for the three powers.

The Japanese delegation has advanced proposals which are substantially in accord with the minimum levels we suggested. We should obviously be gratified if an agreement might be reached on that basis. Difficulties have arisen in finding a common ground for discussion between the low level of tonnage limitation, upon which we are in substantial agreement with the Japanese delegation, and the higher levels which would be involved in a fulfillment of the naval requirements which have been outlined by Mr. Bridgeman. The finding of this common ground of agreement, while at the same time keeping within figures which constitute a real limitation and which will obviate for the life of this treaty the dangers and burdens of competitive building, is now the real task before the conference.

We have listened with great interest to the views of the British Empire delegation as to special needs for numbers of light cruisers. We have heard the striking statement by Admiral Earl Jellicoe as to the strength of the forces needed to hunt down commerce raiders. No one is more qualified to speak with authority upon the problem of dealing with commerce raiders during the last war, and I would not be understood as seeking to controvert anything he has said in the course of his remarks. I confess, however, that the American delegation entertains very serious misgivings in regard to the effort to prepare in time of peace for all possible contingencies of this character in time of war. It seems clear to us that this same duty of hunting down commerce raiders may fall upon any one of our navies in time of war, but that, if in time of peace we are building up forces to perform this duty, it effectively closes the door to any real limitation of cruiser strength.

It may be timely for me to take advantage of this opportunity to state certain fundamental bases of the American position. It is our belief that naval needs are relative. This has already been recognized in drawing up the Washington treaty, and the soundness of this theory has been proven in practice. Thus we feel that limitation by one power makes possible limitation by other powers. On the other hand, a program of building by one power may well call for a corresponding building program by others, while a friendly agreement among the principal naval powers enables them to effect a serious limitation and even reduction without in any sense imperiling their security. It is difficult for us to accept the idea of absolute naval needs. We feel that the conception of relative naval needs alone makes international agreement for limitation of navies possible. If we assume that naval needs are absolute, each country must be the sole judge of its naval needs, which can not then be subject to reduction by agreement with other powers.

Another fundamental point for us is that any agreement can be justified only in the case that it constitutes a genuine limitation which prevents the evils of competitive building, that it allays international distrust and suspicion, and limits the burdens of taxation. While it may be said theoretically that even agreement upon high-tonnage levels may be described as a limitation, inasmuch as it is agreement not to build beyond certain figures, it is, however, a limitation in name only. We do not feel that we should be justified in agreeing upon tonnage levels so high that, far from limiting the burdens of taxation and preventing competitive building, we should merely sanction by international agreement programs of naval expansion.

Our task is therefore by mutual sacrifice to reach a limitation which attains the ends we all have in view of lightening the burdens of taxation and putting an end to competitive building.

In our opinion, the fairest method of limitation is that of total tonnage by classes, inasmuch as within clearly defined limits each country is left free to build the types and numbers of vessels which it considers best suited to its special needs, its geographical position, its overseas commitments, and its national security. If there were any mistrust or suspicion on the part of any one of us as to the intentions of the others, we might well demand the most meticulous scrutiny of the details of each other's building programs and insist upon a careful balance of guns and ships, of types and characteristics. However, I am confident that all my colleagues about this table would repudiate with equal vehemence the thought of conflict between us. We believe, therefore, that we can safely leave each country free within carefully restricted tonnage limitation upon which, I trust, we can agree to build in each class as it may see fit. For our part we have no desire to question this right of others to choose the type of vessels that they desire within the general limitation fixed by treaty, and we are confident that there is nothing in our national policy which could give any ground for misgiving on the part of others if we should dispose of a restricted tonnage according to our special requirements.

One of the objectives of the American proposal was to make possible the greatest economy in connection with any future construction of auxiliary craft by the three powers. Obviously such a result can best be achieved by fixing an agreement upon the lowest possible total tonnages in each of the three classes. We do not achieve it merely by a limitation of the displacement of individual vessels, or of gun caliber,

if such limitation is combined with the multiplication of the number of vessels.

In connection with the question of economy, I desire briefly to state the American position with regard to the proposals for decreasing the size and extending the life of capital ships.

As we have already indicated in earlier statements in committee, the American delegation is prepared to consider in a preliminary way the proposals which Mr. Bridgeman has presented, after we have reached agreement on the other problems before us. We have, however, clearly indicated that we do not feel that this is the time for definite decisions on these questions, although we recognize that during the next four years useful preliminary work may be done. No capital ships are to be laid down by any of us until the close of 1931. No economy can be realized prior to that date by any decisions which may be reached here with respect to capital ships. Further, we are quite prepared to suggest, if agreeable to the other signatories to the Washington treaty, that the conference to be held in 1931 pursuant to the terms of that treaty be called early in that year rather than after August 17. This would allow ample time for its recommendations to be put into effect before any further construction of capital ships is undertaken by the three powers represented here.

One of the primary purposes for which Mr. Bridgeman desired this plenary session was to furnish an opportunity to eliminate certain misconceptions which have arisen regarding the proposals which have been made. One of the most persistent misconceptions has been that regarding our attitude on the construction of 10,000-ton cruisers. It has been frequently stated that our insistence upon the possession of a considerable number of these cruisers was an obstacle to the fixing of a low total tonnage level for that category. Possibly the simplest way of disposing of this misapprehension is to state that we have felt that the question of numbers and types of ships could not profitably be solved without at the same time agreeing upon a reasonable total tonnage for that class. It has been made abundantly clear by the American delegation that the number of maximum-sized cruisers desired would be dependent upon the total tonnage agreed upon. It has been frequently stated that we have, as a preliminary to any agreement, insisted upon the possession of 25 vessels. It is obvious that, if agreement could be reached upon the tonnage levels which we have advocated, it would be impossible for us, during the life of the proposed treaty, to add to the fleet such a number of maximum-sized cruisers. I have clearly informed my colleagues that I was willing to discuss the numbers of such vessels once we have agreed upon a tonnage limitation.

In this connection it has been stated that the 10,000-ton cruiser was forced upon a reluctant world by American insistence. Anyone who is familiar with the subject is aware that there is no foundation for this statement; the 10,000-ton type was decided upon by general agreement in Washington as noncontroversial and as responsive to the existing situation created by the possession of a similar type by certain navies. I think it may tend to clarify the situation if I remind my colleagues that the first American construction of such vessels was not begun until 1926, several years after other navies had initiated construction of such ships. We have not yet completed and will not complete until 1929 one single vessel of this class, and we have no program authorized or appropriated for which is commensurate with the programs nearing completion elsewhere.

In the light of this situation, it is difficult to maintain the contention that the American Government is responsible for the existence of this type or for setting the pace for competitive construction of large cruisers.

Mr. President, as I said, on this rock the conference split at Geneva, and just because the American delegation refused to surrender to the British demands. The American delegation insisted on the right of this country to build ships within the treaty limits which were necessary to its requirements and for the safety and security of the country. Finally, after the conference had come to the rock upon which it finally collapsed, Mr. Gibson stated the American position, in which he had the backing of the State Department of this country and of the administration of Mr. Coolidge. The position then taken by Mr. Gibson was precisely the position this country occupied up until the time of the London conference.

Because that position represented, in my opinion, the historic policy of this country; because, in my judgment, it is the only safe position for this country, I propose to read from Mr. Gibson's speech at the conclusion of the Geneva conference, after they had gotten to the point where they found they could not possibly agree and when the conference was about to break up. This was on the last day. I believe it is important that it should appear in the *RECORD*, and in order that it may be there where everyone who desires may find it I read from the final address of Hon. Hugh Gibson, chairman of our delegation at Geneva in 1927:

As I indicated in my opening remarks, the conference has just reached a point where we have been reluctantly forced to admit that we can not continue our work with any hope of a successful conclusion.

Since the proposals which have been laid before us by Mr. Bridgeman represent a final decision of the British Empire delegation, I have already informed Mr. Bridgeman that we shall be forced frankly to admit that our efforts at present to find a basis for negotiation acceptable to all three powers have not been successful.

I should like to take this occasion for stating somewhat fully the American views on the subject, not by way of argument with my colleagues but because the solution of this problem can be found only if all conflicting views are clearly stated and left for mature consideration.

First of all, let us consider why we came here. The President of the United States, on February 10, extended to the powers signatories to the Washington treaty an invitation to meet in Geneva to agree upon the extension to auxiliary craft of the principles of that treaty. The British Empire and Japan accepted this invitation. The President's initiative in calling the conference was in conformity with the repeatedly expressed desire of our Congress, as specifically set forth in an act of February 11, 1925, that armaments should be effectively reduced and limited in the interests of the peace of the world and for the relief of all nations from the burdens of inordinate and unnecessary expenditure. The President's invitation left no room for doubt as to the purpose he had in mind, and the proposals to be made by the American delegation could have been forecast with considerable accuracy. It was known from the President's message that we would propose limitation of auxiliary craft by categories; that we were in favor of limiting them according to the principles of the Washington treaty. It was not difficult to forecast even the tonnage levels which we would suggest, as it was obvious that no fresh complications in the world situation had called for a material increase over the figures suggested by us at Washington in 1922, namely, 450,000 tons for both classes of auxiliary surface vessels.

In strict conformity with the spirit and letter of the President's invitation the American delegation on the opening day of the conference laid on the table clear, simple, and comprehensive proposals for a genuine limitation of naval armaments. We were confident that proposals of this general character would be acceptable to the powers represented here. It was not unreasonable to feel that, even if the specific figures suggested by us as a basis of discussion were not acceptable, a reasonable limitation might be achieved on the basis of the present state of the strongest navies in the different categories; that is to say, the British Empire in cruisers and the United States in destroyers and submarines, with the result that, by agreeing upon such figures, we should be relieved of the dangers of competitive building. The Japanese delegation subsequently indicated its willingness to negotiate on the basis of the minimum tonnage figures suggested by the American delegation. It should be recalled that the minimum figures of the American proposals involved a considerable reduction in the destroyer and submarine tonnage now possessed by the United States.

From the first, however, we encountered a serious difficulty in the claim of the British Government that it needed a considerably larger number of cruisers than it now possesses. Instead of the 48 cruisers now in service, the British Empire delegation has set forth in the report of the technical committee a need for fifteen 8-inch-gun cruisers and 55 cruisers of a smaller type, a total of 70. The claim for these figures was defended on the ground of the absolute naval needs of the Empire. The American delegation has never been able to reconcile the conception of absolute naval needs with the negotiation of a treaty to fix limitations on the basis of mutual concessions. If the sole purpose of our negotiation be that of setting forth the view of each power as to its requirements without regard to the navies of others, it is difficult to see how we can arrive at a treaty for the real limitation of navies. Further, we have not yet been able to understand why, in a time of profound peace and at the moment that we are seeking to reduce the burdens of naval expenditure, the British Government considers a considerable program of naval expansion as an absolute and even a vital necessity.

In an effort to meet the views of the British Empire delegation we have indicated our willingness to make very substantial modifications in our original proposals respecting cruisers. We have agreed to discuss a tonnage in the cruiser class far in excess of what we had hoped might be fixed as a limitation for the future. This was done in an effort to help meet the British claim for numbers of vessels. Further, we have agreed to discuss the number of 10,000-ton cruisers and to accept a secondary class of cruisers, provided that the secondary type of cruisers should not be of a maximum individual displacement which will preclude the mounting of 8-inch guns, a caliber of gun which was agreed upon by the signatories of the Washington treaty. Unfortunately, these efforts to meet the British position, together with other American proposals to which I shall refer later, were not considered sufficient. Any further concessions on our part would have involved a complete surrender of the right to build ships responsive to our needs, and we were obliged to take the ground that if agreement were to be reached there must be some measure of reciprocity in concession. We frankly recognize that the naval needs of various powers differ, and we have never contested the argument which had been put forward that the naval requirements of the British Empire could best be met by numbers of vessels. One of the virtues of the system of limitation

of naval strength by total tonnage in classes is that each country is left free to use its tonnage allotment according to its special needs. We have felt, however, that the making of a treaty to which we could honestly subscribe as representing a limitation of armaments was dependent upon meeting these requirements within total tonnages which constituted a limitation and not an expansion.

Follow this, Mr. President. Here is the situation that presents itself ever again and that is before us to-day:

With a large number of naval bases scattered along its lines of communication, we can quite well understand the desire of the British Empire for a certain number of cruisers of the smaller type. At the same time, we feel that it should be recognized that our own geographical position and our lack of bases resulting in part from the restrictions of the Washington treaty require a larger type of cruiser affording a longer cruising radius. We felt further that the repeated expression of our willingness to reduce the total cruiser tonnage to the lowest limits acceptable to the British delegation was sufficient evidence that we have no thought of engaging in a program of construction which can be any cause for apprehension.

This only goes to show, Mr. President, that the same problem was present at Geneva that confronted our delegation at London. The only difference is that at Geneva we maintained our historic policy and refused to sacrifice America's needs, her safety, and her security for the sake of getting a treaty, while at London the chief thing to be desired and to be gotten at almost any price seems to have been a treaty—anything to get a treaty, regardless of cost.

I quote further from the firm speech of Mr. Gibson at the break-up of the conference at Geneva:

The British delegation, in its proposals, sought to secure agreement to limit very strictly the number of the larger type of cruisers with 8-inch guns and to limit all other construction to small-sized cruisers armed with 6-inch guns, a type of ship of relatively small use to us because of its lack of cruising and operating radius and protection. The immediate and obvious result of acquiescing in these British proposals would have been that the British Empire would have been able to build exactly what it desired and that we, on the other hand, would be restrained from building what we consider we might need, and yet the tonnage levels insisted on by the British Empire would result in a substantial increase even over present strength.

It may be well here to touch upon the view which has been expressed that we have rendered agreement difficult by our alleged insistence upon freedom to build a large number of 10,000-ton cruisers armed with 8-inch guns. These the British delegation terms offensive vessels as distinguished from the 6,000-ton cruisers armed with 6-inch guns, which they call defensive cruisers. No such distinction was recognized at the time of the Washington treaty. The 10,000-ton cruiser with 8-inch-gun armament was fixed by the Washington treaty, and this decision was supported by the British delegates at that conference and adopted as noncontroversial. Furthermore, the United States did not commence the construction of cruisers of this size. Five cruisers of this type—

That is, 8-inch-gun cruisers of 10,000 tons—

have now been practically completed by the British Empire and six more are in process of construction, while four vessels of 9,750 tons are now in commission.

That was, of course, three years ago, in 1927.

The United States has two 10,000-ton cruisers which are about 15 per cent completed and six for which the contract has been recently let. We have none that will be afloat for approximately two years. In the act authorizing the construction of these cruisers it was provided that, in the event of an international conference for the limitation of naval armament, the President was empowered, in his discretion, to suspend in whole or in part any construction authorized by the act.

The British Empire delegation has drawn a sharp distinction between the offensive and aggressive character of 8-inch-gun cruisers and the essentially defensive character of the 6-inch-gun cruisers, which they feel would adequately serve for our purposes. The American delegation can not but feel that every warship possesses essential offensive characteristics and that no ship is built for the sole purpose of defending itself against attack.

Indeed, Mr. President, may I suggest at that point that if we are to believe much of what has been said on this floor during the last few days, the 6-inch-gun cruiser is much more offensive and much more deadly than the 8-inch-gun cruiser of 10,000 tons displacement; but the British at the Geneva conference insisted that the 6-inch-gun cruiser was only a defensive arm; that the 8-inch-gun cruiser was offensive and not defensive. I quote further from Mr. Gibson:

We can not follow the reasoning which attributes to 6-inch-gun cruisers a purely defensive rôle. We are told that they will police

trade routes and protect British commerce on the sea. But, in order to afford effective defense to British commerce upon the seas, these cruisers must in time of war effectively deny the sea to others. When we come down to essentials, the claim on the part of any nation for the right to maintain in time of peace a cruiser strength sufficient to afford complete security to its commerce in case of war renders impossible any effective naval limitation by international agreement.

Mr. President, may I say right there that I was amazed to learn as a result of the London conference that our delegation was afraid, apparently, even to approach the question of the freedom of the seas. After all is said and done, that is the one big tremendous problem that must be solved, and solved definitely, before there ever can be any effective limitation of naval armaments and naval equipment with this or any other country. Our delegation remained away from that question, which is vital and which has been vital throughout all the years.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. ROBINSON of Indiana. I yield to the Senator.

Mr. McKELLAR. I desire to say to the Senator that I am going to offer a reservation or an amendment providing for the freedom of the seas; and I hope the Senate will adopt it, as it did last year, and then let the other nations pass upon it. The Senator recalls that the other day Commander Kenworthy, who was a member of the conference and also a member of Parliament and also an officer in the British Navy, stated openly in Parliament that he regretted very much that the subject of the freedom of the seas was not taken up by the conference, and that it would have been taken up by the conference but for the absolute refusal of the American conferees to permit it to be taken up.

Mr. ROBINSON of Indiana. That has been conceded on the floor by one of the Members of this body who was a delegate to the London conference.

Mr. SHORTRIDGE. Mr. President, will the Senator permit me to interrupt him?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from California?

Mr. ROBINSON of Indiana. I yield to the Senator.

Mr. SHORTRIDGE. Will the Senator permit me to ask the Senator from Tennessee whether in his proposed reservation he will define what he means when he uses the phrase "freedom of the seas"?

Mr. McKELLAR. I shall undertake to do so; and I am quite sure that the Senator from California, with his wonderful legal knowledge and great ability, will have no difficulty in understanding what is meant by that.

Mr. SHORTRIDGE. The Senator will treat it—

Mr. McKELLAR. Not in confidence. It is going to be open. I do not believe in these secret agreements, as the Senator knows. I want them to be open, absolutely aboveboard. I do not believe that this country ought to make any agreements with any country secretly.

Mr. SHORTRIDGE. "Freedom of the seas" as it affects a neutral or a belligerent?

Mr. McKELLAR. That is right.

Mr. SHORTRIDGE. The Senator will make perfectly plain to all the nations of the earth what he means by "freedom of the seas"?

Mr. McKELLAR. I hope to do so. I shall earnestly try to do so.

The VICE PRESIDENT. The Senator from Indiana has the floor.

Mr. ROBINSON of Indiana. Mr. President, until that question is settled there can be no effective limitation of navies. Until Great Britain agrees that in case of hostilities between her and any other country neutral nations may continue to use the seas freely—until that question is finally settled definitely there can be no limitation of navies anywhere, because ultimately self-preservation is the first law of nature, and each nation must protect itself in its existence.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana further yield to the Senator from California?

Mr. ROBINSON of Indiana. I yield to the Senator.

Mr. SHORTRIDGE. Of course, in the definition of "freedom of the seas" I am assuming that it will be agreed as to what is contraband, and the rights of a neutral to trade with a belligerent.

Mr. ROBINSON of Indiana. Yes, Mr. President; I assume the question will be settled. The whole question of freedom of the seas should be settled definitely as in international principle, so that there could be no dispute about it.

Mr. SHORTRIDGE. So, as I understand, before this treaty is to be ratified we must agree as to what is the freedom of the seas, and, connected with that, what is contraband, and what is a blockade, whether effective or merely declared? All those questions must be resolved and definitely agreed upon before we ratify this treaty?

Mr. ROBINSON of Indiana. Oh, no, Mr. President; I do not know what will be agreed on before we ratify this treaty. I have a notion that the Senate is going to ratify this treaty regardless. I have a notion that it makes no difference whether this treaty is good or bad for the United States; that ultimately, with but very little discussion and little debate and little study, the Senate proposes to ratify it anyhow, regardless of what may happen to this country during the life of the treaty.

Mr. President, in my judgment the entire matter of the London treaty proceeds on a false premise. Apparently the only thing considered by our delegation at London was naval strength in fleet action. That is to say, you can imagine two armadas. The United States has a fleet that we call a whole, an entity. Great Britain has a fleet. Apparently the only thing that our delegation considered at London was whether or not it was possible to imagine these two fleets on the high seas, each facing the other, and to see if they could not somehow or other fix it up so that those two fleets out there on the high seas would be somewhere near equal after a certain length of time; and on that premise, which I think is false to begin with, they reached an agreement.

I make bold to say that even on that premise they did not achieve anything approaching parity, because any time in the next six years, any time during the life of this treaty that those two fleets would get together and meet in hostile action, if there were any such action, there would be no comparison between the two, because, as everybody knows who has studied this proposed treaty, during the life of the treaty we would have at the outside only fifteen 8-inch cruisers and Great Britain would have throughout the life of the treaty 19 such cruisers, if we include the four of the *Hawkins* class. So there can be no parity there, even then.

But, Mr. President, that begs the whole question, even if there were fleet parity. There never was a time in the whole World War when two complete hostile fleets met, and there never will be a time. There never has been a time in any war in which America has engaged when two complete hostile fleets have met. Detachments meet; that is true; but the big job of the American Navy is to detach units to take care of American commerce borne on the ocean's waves. The big task of the American Navy is to destroy the enemy's commerce and subjugate the enemy, to the end that a peace may be brought about that is honorable to this country. The big task of the American Navy is to see that when American ships, bearing American commerce, go to sea, they shall reach their destination unimpeded by other powers; and I say, Mr. President, that with no naval bases anywhere in the world to speak of on any of the trade routes, with our commerce as great as that of any other land, it is always in peril in time of war if we have not cruiser units with wide cruising radius to safeguard and convoy that commerce.

Great Britain would start us out with 6-inch guns and cruisers of smaller size. Of course, she would, with her own merchant ships, auxiliaries, turned into auxiliaries overnight. Four days is the time it takes. In four days she can turn a merchant ship into a 6-inch cruiser, and those auxiliary cruisers themselves could pretty nearly stand off a 6-inch cruiser. That is an unfair statement, perhaps; they could not be equal, perhaps, to a 6-inch cruiser; but, if one of their shots should go home, even one of these auxiliary merchant ships turned into a cruiser and armed with 6-inch guns could sink a 6-inch cruiser of the regular Navy. That is the kind of ships Great Britain would put in the hands of these gallant American admirals of ours, upon whom slurs and aspersions have been cast in this debate in the past few days.

The whole question has been begged at London, I say to the Senator from California. England has insisted that we use 6-inch guns, that we build 6-inch-gun cruisers, that we have only a certain number of 8-inch-gun cruisers, not anywhere near enough for our protection. The utmost margin of safety, says the General Board of the American Navy, is 21; and our delegation goes to London and cuts it down to 18, regardless of what these gallant old sailors say who have given their lives to the defense of this country and to the study of the Navy's problems!

Not only that, but the pact itself shows, whether there is a gentlemen's agreement or not, that we can have no more than 15 such cruisers during the life of the treaty. There is not any question in the world but that the Japanese believe that a

gentlemen's agreement has been entered into; but, whether or not there is a gentlemen's agreement that we will not build the other three, the treaty itself will not let us build them. According to the letter and the terms of the treaty itself, we can build only 15 such ships during the life of the treaty; and that is 6 ships fewer than the General Board of the Navy says represent the last margin of American safety on the seas.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from California?

Mr. ROBINSON of Indiana. I yield to the Senator.

Mr. SHORTRIDGE. No matter what others may think, in view of what our delegates have stated as gentlemen, as officers of the Government, as brother Senators, does the Senator from Indiana think there is any secret gentlemen's agreement contrary to the letter of the proposed treaty?

Mr. ROBINSON of Indiana. Mr. President, I doubt whether there is or not.

Mr. SHORTRIDGE. But I am asking the Senator.

Mr. ROBINSON of Indiana. I doubt whether there is or not, and I have already testified to my faith in the integrity of the American delegation; but I say that the treaty itself, especially the eighteenth paragraph, is couched in such peculiar language, such general language, that it may easily preclude us from building the other three ships. It is suggested therein that we may take one and a half times the tonnage if we will only take 6-inch ships. Says Great Britain, "Do not build 8-inch ships," and Great Britain has tried through all of these conferences to eliminate battleships, to eliminate capital ships; and if capital ships are all eliminated, then what is the biggest arm? Then come the 8-inch cruisers. Now she wants to eliminate 8-inch cruisers; and if 8-inch cruisers are all eliminated, what is next? Then the 6-inch cruisers; and if the 6-inch cruiser then is the general arm, the biggest, most powerful ship of any navy in the world, Great Britain is the undisputed mistress of the seas for all time to come, for she has more of those ships than any other land. Not only that, but she has more than 800,000 tons of merchant ships that in four days' time—I have the authority here—can be turned into auxiliary cruisers, carrying 6-inch guns. That can be done in four days' time; and we have approximately 180,000 tons. Of course, Great Britain would like ultimately to force the rest of the world down to 6-inch guns, so that no larger ships are built anywhere by any land on the face of the globe; and when that day comes Great Britain is the undisputed mistress of the seas, and doubtless will be for all time.

Let me read from the *Romance of a Modern Liner*. I see that the Senator smiles. Perhaps he doubts the truth of the statement I have just made. Perhaps he will take the word of Earl Jellicoe. He probably is the greatest expert in the British Navy. If the Senator will not listen to the experts of our own Navy, our own admirals, perhaps he, like some others on this floor, will give great credence to one of the admirals of Great Britain.

Mr. SHORTRIDGE. Uncle Sam has never yet been defeated, and never will be.

Mr. ROBINSON of Indiana. No; and, thank God, we never before have taken the arms out of the hands of our naval men. This is the first time we have undertaken to do it. We have had six wars, six major conflicts, but never before have we hampered those charged with the defense of the country as you would hamper them now under this treaty.

Mr. President, I hope from the depths of my heart that we never will be defeated on the sea. Ah, but you can not win on the sea without the tools for winning, without the guns, without the ships. It is not possible. We are taking the ships away from the Navy. We are taking the guns out of their hands. Not only that but we are destroying the morale of these gallant men by criticizing them and casting slander and libel on their heads because they dared do what—do what, in this day of the internationalist? Stand up for America and the American flag. They dared to do that. They did not volunteer their advice; they were called in; they were summoned before the committee, and because after having been summoned they dared speak the truth about their country, dared state their fears with reference to their country's possible peril, because they dared to be Americans and patriots, here on this floor we heard them slandered and libeled, and slurs and aspersions were cast upon these gallant men who wear the uniform.

We have not been defeated in the past in six major conflicts; that is true, but in the past we have given the Navy the ships, we have given them the guns, we have given them the implements with which to fight. Now it is proposed to take them away and put ineffective implements in their hands which the other powers prescribe and permit us to build.

Mr. SHORTRIDGE. Mr. President, I rise to thank the Senator for his argumentum ad hominem.

Mr. ROBINSON of Indiana. Go ahead.

Mr. SHORTRIDGE. I thank the Senator.

Mr. ROBINSON of Indiana. Very well.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. ROBINSON of Indiana. I yield.

Mr. McKELLAR. I did not want to interrupt the Senator from California, but I wanted to ask the Senator from Indiana a question. He talks about this new policy of letting nonnaval officers run our Navy.

Mr. ROBINSON of Indiana. Not nonnaval officers, no; far more than that—civilians.

Mr. McKELLAR. Civilians!

Mr. ROBINSON of Indiana. Who can learn more in 90 days about the Navy than these old admirals have learned in going through Annapolis and through all the years of their service.

Mr. McKELLAR. Mr. President, does not the Senator think that Admiral Stimson, getting Great Britain and Japan to agree to let him fight them with such guns as they may select—does not the Senator think this new admiral in the American Navy could hold our own with other countries?

Mr. ROBINSON of Indiana. I do not know what Mr. Stimson may think, except as he has expressed himself. Apparently Mr. Stimson has very little regard for the admirals and the higher officials and the personnel of the American Navy. From his own expressed statement I gather that. And others, on the floor of the Senate, have almost said as much, because they intimate that these gallant men in uniform, who have followed the sea all their lives and looked after the security of this country, know nothing outside of Washington. They are here in Washington, says one Member of this body, but they do not know what the sea is. Imagine! Have we come to that? Has internationalism come to be so strong in this country that men are cursed and abused for saying a word about their own country that is good?

Mr. McKELLAR. Mr. President, will the Senator yield again?

Mr. ROBINSON of Indiana. I yield.

Mr. McKELLAR. I would think that with Admiral Stimson's superior knowledge and his wonderful experience as an admiral in the Navy, with his wonderful ability to fight on the sea, he could take 6-inch guns, or perhaps 3-inch guns, and beat any other nation in the world. One would think so to hear him talk, anyway.

Mr. ROBINSON of Indiana. Mr. President, I shall not express any opinion as to the fighting ability of the Secretary of State.

Mr. McKELLAR. I am commending him. He thinks he is a better hand at fighting with smaller guns than others would be with bigger guns.

Mr. ROBINSON of Indiana. That is a question I would far rather have some one else discuss.

I want to read from this Romance of a Modern Liner. I want to read this for the special benefit of the Senator from California—the junior Senator. This Romance of a Modern Liner was written by Capt. E. G. Diggle, R. D., R. N. R., captain of R. M. S. *Aquitania*.

Mr. SHORTRIDGE. What does all this mean?

Mr. ROBINSON of Indiana. During the World War many American soldiers went across the Atlantic on this very boat, the *Aquitania*. It was a part of the royal navy at that time, an armored cruiser, an auxiliary, used for different purposes during the war, as many other merchant ships were. So this ship, the *Aquitania*, has inspired her one-time commander, Captain Diggle, to write this book, entitled "The Romance of a Modern Liner."

There is a foreword to the book by the admiral of the fleet at that time, Earl Jellicoe of Scapa, and I want to read from that foreword his opinion of the merchant marine of Great Britain, rather to reinforce the statement I made that this London treaty was negotiated on a false premise from beginning to end.

This is a foreword by the admiral of the fleet, Earl Jellicoe of Scapa. I quote:

If we are to have in future only a comparatively small navy, it is all the more important that the nation should realize the essential contribution which the merchant navy makes to their sea prestige, and the strength of the British peoples. The two services are complementary the one to the other. There was a time, of course, when there was no division between ships of war and ships of commerce. In the days of the armada, and even in later wars, down to the beginning of the nineteenth century, the royal navy had to be very strongly reinforced in time of war by ships belonging to private traders or trading corporations. In subsequent years the breach widened, but in 1914

again we saw the British mercantile marine acting in the closest touch with the royal navy; indeed the royal navy could not have fulfilled its mission if it had not had the support of the merchant navy, of which the Prince of Wales is now the master. No ship was too humble or ancient not to be required. Trawlers and drifters, the small traders, the tramp steamer, the private yacht, and the palatial liner were all called into service, and the public were thrilled at the scanty rumors that leaked through of the valiant exploits of armed merchant cruisers, mine sweepers, and patrol vessels.

The interest aroused in the merchant service during the Great War still continues, and of all classes of ships the one that has perhaps the most universal appeal is the great liner. With its four massive funnels and gigantic hull, which carries some 4,000 persons in one trip across the Atlantic, a ship like the *Aquitania*—

And that ship, to my personal knowledge, carried across the Atlantic 9,000 American troops at one time, and without convoy—the largest liner built in Great Britain, or the world-famous *Mauretania*, is surely not only a triumph of the shipbuilders' craft but also the embodiment of efficient organization and service.

I want to tell the Senator, too, just how long it took to convert the *Aquitania* into a 6-inch cruiser. I read from the same work:

The *Aquitania* embarked upon her actual career in May, 1914, and made three voyages to New York from Liverpool prior to being taken over by the Government on the outbreak of the Great War in 1914. After being converted into an armed cruiser carrying 6-inch guns, she left the river Mersey for patrol duty on August 8, 1914, just four days after the declaration of war, a remarkable achievement, considering the alterations which had to be made.

I may say to the Senator that Great Britain has something over, I was about to say 1,300,000,000 tons—I will verify the figures later—of shipping of various kinds she can convert, under the London treaty, which permits the nation to have as many 2,000-ton ships of war as desired, carrying 6-inch guns. Then do you tell me that this treaty was approached from the right standpoint, from a fair standpoint, from America's standpoint? Not since the days of the armadas have two great fleets gotten together to fight it out, and they never will under modern conditions. It is a piece by piece proposition, ship by ship, small detachment against small detachment. Ocean-borne commerce is the big thing in these days, and to-day the chief task of the American Navy, the chief task of any navy representing a country that has any ocean-borne commerce, is to protect that commerce in time of war, and, for that matter, in time of peace also; and also, too, if possible, during hostilities, to destroy the enemy's commerce, to bring the enemy to his knees, in order that peace may come quickly and that as few lives may be lost as possible.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

Mr. ROBINSON of Indiana. I yield. I am glad to have the Senator interrupt.

Mr. SHORTRIDGE. I do not wish to be drawn into the discussion now; but if it does not interfere with or break into the line of argument of the Senator, would he have the goodness to state just what he would have done, assuming the facts to be as they were?

Mr. ROBINSON of Indiana. At this conference?

Mr. SHORTRIDGE. Yes.

Mr. ROBINSON of Indiana. This is what I would have done—

Mr. SHORTRIDGE. What would the Senator have done?

Mr. ROBINSON of Indiana. I will tell the Senator.

Mr. SHORTRIDGE. I want to know.

Mr. ROBINSON of Indiana. I would have stuck to the advice of the General Board of the American Navy, each and every one of whom has given his life to the study of this vital question. I would never have gone below twenty-one 8-inch-gun cruisers. I would never have gone to 18, much less down to 15.

What is that? That is surrendering one-third of our national safety; of our last margin of safety. I would never have done that. Let Britain have 15 or 14, if she desires, and we take 21. Then her enormous advantage in her merchant marine and naval bases would be offset to some extent by our advantage in 8-inch-gun cruisers to protect our commerce, and advantage hers. If need be; if worst came to worst, and, may God forbid, if there had to be war, we would have some compensating advantage, would we not? But when we deliberately surrender to Great Britain, and when we take the 6-inch guns she prescribes for us, which are little better than her auxiliary cruisers, her merchant marine turned into cruisers with 6-inch guns, to say nothing of her regular navy, where she so thoroughly outnumbered us in such guns, then we can have no compensating advantage.

I would have been fair to America, as I wish our delegation had been. If our delegation had followed that course, you

would find me here using my voice, and my feeble influence, if I have any, for ratification of the treaty, not for its rejection.

Mr. SHORTRIDGE. And in that way you would have reached parity?

Mr. ROBINSON of Indiana. That is right. I say we should have approached parity from a practical standpoint, not from a false basis. I say when you undertake, in modern times, to take two great fleets and stand them out in the ocean one against the other, you assume a situation which never would arise, and which never did arise throughout the World War, which has not arisen during the past century.

Mr. SHORTRIDGE. It came very near occurring at the Battle of Jutland.

Mr. ROBINSON of Indiana. Yes; just for a moment. There the German fleet was hemmed in. It was not out. But a few units, the few detached units of the German fleet, one of them the *Emden*, went out and destroyed thousands and thousands of tons of British commerce. The submarines were tremendously effective in that direction, as the Senator well knows. The German fleet as a fleet did not bother the allied powers during the World War. It was detached units of the German fleet which caused all the damage, and it is such units that will cause the damage in the future.

In the possible case of war our delegation seemed to think that the great American fleet would be assembled majestically, and that out on the ocean on the other side Great Britain's fleet would be assembled, and then the parade would start. The American fleet would go out to the middle of the ocean, and Great Britain's fleet would come to meet it, and somehow, somewhere or other in the middle of the ocean, these two great fleets would clash.

I say that is a false premise. I say that is a false basis on which to begin the question of limiting navies anywhere, because those things just do not happen. The other things do happen. I say there is no question of parity. How can there be parity under this treaty on any other basis except the false basis which I have just suggested? There is no parity there even on that basis.

Mr. SHORTRIDGE. How is the Senator going to reach parity?

Mr. ROBINSON of Indiana. As I have told the Senator, by compensating for some of the advantages that Great Britain has by taking advantages for us in another direction so there will be an offset. In other words, Great Britain got everything she desired. Her ultimatum was given to the world, and there it is written in the treaty. Her position was known before the conference met. The world knew what the terms of the British ultimatum were. Japan had certain things that had to be done. The world knew what they were. I submit to the Senator that they, too, are written in the treaty. We had certain things that we wanted. We did not get any of them. They are not written in the treaty.

Mr. SHORTRIDGE. Mr. President, may I ask the Senator one more question?

Mr. ROBINSON of Indiana. Yes; I am glad to yield to the Senator.

Mr. SHORTRIDGE. What was the relative strength of the navies of the three nations when the conference met? What was the then relative strength, all things considered?

Mr. ROBINSON of Indiana. I have gone into that, perhaps when the Senator was not in the Chamber. In 1921-22, when the first conference was called, the relative strength was this: America had the greatest navy on the face of the globe, and what did that advantage mean to us? It meant that we could not realize on it in the conference. Since that time we have gone ahead hoping the world would follow our example. We have not built during the last eight years. We have gone along patiently, slowly, hoping other nations would do the same thing in a true and proper spirit of real limitation. What happened? The other nations kept on building feverishly.

We go to London and, of course, we have not in the same categories as many ships or as much tonnage as they have. Do they do as we did in 1922? Do they say, "We want limitation. We know you can afford to build and therefore we are going to give you the parity you desire"? No; they use that very advantage they have in the number of tons in certain categories as a trading advantage for themselves, whereas eight years before we deliberately scrapped the biggest proportion of our fleet, certainly of our capital ships, to give them a chance to catch up. Is there any reciprocal action of that kind suggested either at Geneva or London? No. They have the temerity to throw in our teeth the statement, "You have not as many ships as we have." Why? Because we have been observing for the last eight years the spirit as well as the letter of the Washington conference and we have not been build-

ing, while they have been feverishly building 8-inch-gun cruisers and other craft to get ahead of us.

Why did not we come from London as our delegation came from Geneva three years ago saying, "We will not surrender American safety and security"? Why did we not say, "If we can not get a treaty fair to the people of the United States, we will not have any treaty"? If our delegation had come back with that statement, the American people would have applauded on all sides and would have said, "At least they did not surrender our best interests." Then we would have been free to go on with our building program and would have completed it by 1934, when we would have had under our present building program twenty-three 8-inch-gun, 10,000-ton cruisers and 10 of the *Omaha* class of 6-inch-gun cruisers, or 33 all told, with a tonnage of something over 300,000 tons. That is what we would have had.

What will we have under the London treaty? We will have a doubtful 15 under the treaty in 1936. We would have had twenty-three 8-inch-gun cruisers under our present building program without ratification of the treaty. We would have had 8 more under our present program and 10 of the *Omaha* class, and the cost would have been no greater. We would have built the ships we require for our interests and our protection and to safeguard us, and we would not have been forced to spend a billion dollars to build the kind of ships Great Britain prescribes for us. That is the answer to the Senator's question.

Mr. SHORTRIDGE. If the Senator will have the goodness to read some remarks I made in favor of the cruiser bill—

Mr. ROBINSON of Indiana. Precisely, but what good do the Senator's remarks do when we are scuttled under the London treaty? It is all gone. The Senator lost forever any good his remarks may have accomplished. What good was done by them?

Mr. SHORTRIDGE. A great deal, I think.

Mr. ROBINSON of Indiana. Not if the Senator votes to ratify the treaty. If the Senator votes to ratify the treaty, he undoes all the good he may have done by his remarks. If the Senator is consistent, he will vote against ratification of the treaty.

Mr. President, I want to conclude reading what Mr. Gibson said. There was a man who stood for American principles, backed up by Calvin Coolidge. They were not afraid to let a conference break up. Oh, no; they would not surrender American honor rather than break up a conference. What difference did it make if a conference did break up? Why did we have to have a treaty at London? The inimitable Will Rogers made a very clever statement and said much in few words. He said that in London at the naval conference the United States, Great Britain, and Japan all met; that Great Britain and Japan went after ships and the United States went after a treaty, and each got what she went after; that now in the possible event of hostilities, when Japan comes over and attacks the United States, attacks the Senator's own beloved California, the Japanese will shoot at California with her warships and we will shoot at the Japanese with our treaties.

Mr. SHORTRIDGE. Japan will not get within a thousand miles of California.

Mr. ROBINSON of Indiana. I am only suggesting that the inimitable Mr. Rogers said if she ever does we will shoot her with a treaty.

Mr. SHORTRIDGE. We will take care of California.

Mr. ROBINSON of Indiana. But with what will the Senator take care of California? If we keep within the limitations of this treaty, he will have no guns nor even any ammunition.

Mr. JOHNSON. One of the Senators from California will take care of that State just as the Senator from Indiana wants to take care of it.

Mr. SHORTRIDGE. We will join forces, I hope.

Mr. JOHNSON. Mr. President, will the Senator from Indiana permit me to interrupt him briefly?

Mr. ROBINSON of Indiana. Certainly.

Mr. JOHNSON. We need not worry about a conference being broken up, because we have an existing agreement now under the Washington conference treaty by which we have agreed in 1931 to hold another conference. Therefore, if the London treaty were rejected, we would not be without the means immediately of having another conference if a conference is desirable. The treaty is there, the contract exists, and all the nations have agreed by contract to hold that conference in 1931 if it be desirable.

Mr. McKELLAR. Mr. President, will the Senator yield at that point?

Mr. ROBINSON of Indiana. In just a moment. Let me suggest to the senior Senator from California, who has just spoken, that that is true. A conference was called by President Coolidge

in 1927 because the other nations were running wild in naval construction. Great Britain and Japan were expanding their building programs on all sides, and we were the only one who in spirit really were observing strictly the terms of the Washington conference treaty. It was provided that there would be another conference in 1931. That is true, but we did not want to start a race in naval construction. President Coolidge evidently became alarmed at the tremendous rate at which Great Britain and Japan were building 8-inch-gun cruisers and other ships of the line, so we called a conference at Geneva which was held and which in the end broke up without definite results.

Then again we called this conference in the year 1930, when next year a conference would have been called anyhow under the terms of the Washington treaty of 1922. Now we have another conference scheduled ahead for 1935, and I suppose along about that time one will be arranged for 1941 and probably another for 1950, and all the time our Navy tends to disappear from the seas. We grow weaker and weaker and other powers relatively stronger and stronger. Japan from a 5-3 ratio goes up to 5-4 in some categories, 10-7 in other categories, 5-5 and even 5-6 in still others, and all that I can see that we are getting out of these conferences is a gradual elimination of our Navy.

I yield now to the Senator from Tennessee.

Mr. McKELLAR. I desire to ask the senior Senator from California [Mr. JOHNSON] a question, with the permission of the Senator from Indiana.

Mr. ROBINSON of Indiana. Certainly.

Mr. McKELLAR. He said that under the Washington conference we would hold a conference next year. That is provided in the Washington treaty. But I want to ask the Senator if he did not see in the paper, I think yesterday, that Mr. MacDonald had introduced a bill in the Parliament to repeal the treaty of 1922?

Mr. JOHNSON. No; I did not know it.

Mr. McKELLAR. I saw something in the paper to that effect. The British Parliament passes on treaties over there just as we do here. In passing on the London treaty, as I read it, at the same time that they confirmed or ratified the new treaty, they repealed in so many words the treaty of 1922.

Mr. JOHNSON. I had not observed that. I did observe by the press that both Great Britain and Japan are ready to ratify this treaty and are going to do it very shortly. That is a demonstration of how much poppycock there is in the stuff about the objection to the treaty in Great Britain and Japan.

Mr. ROBINSON of Indiana. Mr. President, I was in the midst of reading from the statement of Hon. Hugh Gibson, chairman of our delegation at Geneva, when I was interrupted a little while ago. I wish to conclude now what he said at the breaking up of that conference as our delegation and all delegations were preparing to leave Geneva to go home after they had been unable to reach an agreement. He said:

The American delegation can not but feel that every warship possesses essential offensive characteristics and that no ship is built for the sole purpose of defending itself against attack. We can not follow the reasoning which attributes 6-inch gun cruisers a purely defensive rôle.

I observed a moment ago that if we would be impressed by some of the arguments that have been made on this floor in the last few days we would consider that 6-inch-gun cruisers were much more offensive and much more powerful and effective than the big 8-inch guns; but, in any event, Mr. Gibson said:

We can not follow the reasoning which attributes to 6-inch-gun cruisers a purely defensive rôle. We are told that they will police trade routes and protect British commerce on the sea. But in order to afford effective defense to British commerce upon the seas these cruisers must in time of war effectively deny the sea to others. When we come down to essentials, the claim on the part of any nation for the right to maintain in time of peace a cruiser strength sufficient to afford complete security to its commerce in case of war renders impossible any effective naval limitation by international agreement.

That is the important part, and I invite the attention of my good friend the junior Senator from California [Mr. SNOW-RIIDGE].

Mr. President, I say it is Great Britain's policy, of course, to force us to take 6-inch-gun ships, because with all her merchant tonnage she has the material for additional 6-inch-gun ships and we have not. The only way we can compensate ourselves for that enormous advantage of Great Britain's, to say nothing of her enormous advantage in naval bases, is to have the right to build the kind of ships we require—more 8-inch-gun ships with wide cruising radius that do not depend on naval bases.

Mr. President, this is an illuminating and very interesting speech of Mr. Gibson's. I think I will not read any more of it, except, perhaps, these paragraphs, and then I will pass from it:

I can not but feel that the British Government has an unnecessary apprehension as to the use which might be made by the United States of reasonable freedom of action in the cruiser class within strict tonnage limitations. It is to be remembered that, if the total tonnage for cruisers should be fixed as low as 300,000 for the United States and the British Empire, a certain part of this will be consumed in the construction of the maximum-size cruisers of a number to be agreed upon. A further considerable part is already taken up as far as the United States is concerned by the existence of ten 6-inch-gun ships of the Omaha class aggregating approximately 70,000 tons. The only practical question arising, therefore, is whether, in addition to building an agreed number of maximum-size cruisers, none of which have yet been completed by the United States—

This was back in 1927—

our future construction of secondary cruisers with 8-inch guns within this narrow limit could be on such a scale as to give concern to the British Empire.

In an effort to meet any possible concern of the British Government on this score, an apprehension which, I hasten to add, we consider unwarranted by anything in our past or present policy, we had already suggested the possibility of inserting in the treaty a political clause providing in effect that, if the building program of any one of the signatory powers within the tonnage limitation agreed upon for cruisers should give concern to any other contracting power, a meeting of the signatories could be called at any time after 1931 and, if a satisfactory agreement was not reached, the treaty might be shortly terminated. It is difficult to see why this would not adequately meet any possible apprehension, as it would not be possible for a power to make any substantial progress on a building program within the short time prior to the termination of the treaty. Furthermore, I may add that we are so confident that nothing in our own policy could give ground for such concern that we felt no hesitation in suggesting such a clause.

That meant that they could get together for another conference. That is what might have been provided by the London treaty instead of the escalator clause. My good friend the distinguished Senator from Arkansas [Mr. ROBINSON], one of the delegates to the conference, said the other day that he would rather agree to an escalator clause or an escape provision, so called, which permits Great Britain, in carrying out her 2 to 1 ratio over the fleet of any other nation in Europe, to go on building without consulting anybody than to have a political clause; but why have either? Why is it necessary during the life of this treaty for Great Britain to start extensive building? It was written in at the behest of Great Britain, and she got everything she asked for.

If there was a sincere desire to limit all nations, to be fair to all nations, and impartial to all nations, why was there any need of an escape clause; or if any arrangement was provided, why could not the conference have authorized an arrangement, like that suggested at Geneva, whereby they would meet again in another conference and decide that question? As it is, it is left open; any nation may go ahead and build as much as it pleases. Then we would have to follow along. As was brought out by the distinguished Senator from Maine [Mr. HALE], the chairman of the Naval Affairs Committee of this body, a day or two ago, we would have to fall in line, and, if we desired to obtain parity, build exactly the same type of ships Great Britain found it necessary to build or Japan found it necessary to build, regardless of whether they were of any utility to us or not. It is a fine treaty, but not for us, Mr. President.

There is just one other paragraph I wish to read from Mr. Gibson's speech. He said:

We find it difficult, however, to reconcile the British conviction that war is already outlawed between us with their present unwillingness to recognize our right to build a limited number of the type of ships we would desire or with their willingness to risk the success of this conference because they fear the problematical possession by us during the life of this treaty of the small number of 8-inch-gun cruisers, and this in spite of the fact that any apprehension which might be occasioned by such problematical construction is amply covered by the political clause which offers a release from the obligation of the treaty.

Mr. President, then the delegates to the Geneva conference came home; they did not agree; but they came home with the right in America to go ahead and build ships for our Navy that would accord with our national safety and security. If we shall ratify this treaty, Mr. President, I hope for the best, but I fear the worst may happen. It is the first time in our 154 years of glorious history that we have ever attempted deliberately to handicap our Navy. It is the first time we have ever placed a hobble on our Navy that might possibly mean its

ineffectiveness and its destruction. I hope for the best if this treaty shall be ratified, but I fear the worst.

Yes, we have always won; we have every war in which we have engaged and the Navy has had a glorious part in every victory; but previously the Navy has always been free and untrammelled, and the Congress, as it is given the right under the Constitution of the fathers, has been permitted freedom to go ahead and build as it desired and as was necessary for the security of the country. In the future, however, if we shall ratify this treaty, those conditions will not obtain. If we should ratify this treaty and in the future war should come, we would be hobbled by the terms of the treaty.

No, Mr. President, two great armadas do not get out on the ocean and meet in these days; they work here and there and yonder. Ocean-borne commerce is the big thing, and the chief utility of the Navy is to defend our ocean-borne commerce and to destroy that of the enemy, in order that victory may perch upon our banners at the earliest possible moment and that our people might not be forced to possible starvation, or if not dependent on the rest of the world for food, then be deprived of such articles as rubber and manganese and many other commodities that go to make up materials for our general welfare and for our happiness and contentment.

Ah, there was one man at Geneva and also at London, whose advice I wish our delegation had heeded. I have reference to Admiral Hilary P. Jones. By common consent, he is the best-informed man in the United States or in the world on our Navy and its needs. He testified before the Committee on Foreign Relations when these very questions arose. He did not volunteer to testify; he was called there, sir, called by his Government or those responsible for a part of it. There he was interrogated and there he told his story. I want to put into the RECORD some of that story; I want to tell the country through the RECORD what Admiral Jones said. It is an interesting discussion in the form of questions and answers.

The chairman, my distinguished friend from Idaho [Mr. BORAH] asked Admiral Jones the following question—and I can give you the date; this was but awhile ago, Thursday, May 15, 1930. The chairman asked this question:

In what capacity did you attend the London conference, Admiral?

Admiral JONES. I attended as an adviser, sir; but I had to leave London on the 27th of February on account of illness, and return home.

The CHAIRMAN. You also attended the Geneva conference?

Admiral JONES. Yes, sir. I have been connected with these preparatory commissions and the Geneva conference since the start of the preparatory commission in 1926.

Let me say, Mr. President, that the delegation at Geneva prepared for the conference; the delegation there was thoroughly prepared, and had the advice of the General Board of the Navy and followed that advice. That delegation did not presume, those who were civilians, to know more about the Navy in a few brief hours or a few brief weeks at best than those gallant old sailors knew after a lifetime of study. And the delegation at Geneva followed the advice of the naval experts of the United States:

I regret, Mr. Chairman—

Said Admiral Jones—

that I have no prepared statement, as I have been unable to make one, but I am prepared to answer any questions that may be asked.

I would like, with your permission, to go back to the beginning, if I do not take up too much time.

"Take your time," says the chairman, the distinguished Senator from Idaho.

Admiral JONES. And explain the various methods of effecting reduction and limitation of armaments that have been advocated by the different powers represented at the preparatory commission and all commissions that we have been with prior to the London conference, because it has a certain bearing on our attitude at all of the conferences we have attended.

There were four different methods of affecting limitation and reduction of armaments. One was by our own method of arriving at the total tonnage in each category of vessels, which was the general principle of the Washington Naval Conference in 1922. The British thesis of limitation was by numbers in categories. The Japanese thesis was practically the same as ours, except that they more nearly adhered to the principles established by the Washington conference, in that they advocated limitation by tonnage in each category, except that they lumped the auxiliary surface craft—that is, cruisers and destroyers—in one category. Of course, the continental European method was that known as global tonnage.

Our thesis of limitation of the total tonnage in each category contemplated, and it was particularly stated on all occasions, that each power would be allowed within that total tonnage in the category to

distribute its tonnage according to its special needs, brought about by geographical location, and strategic needs, as well as tactical needs. It was realized early that it was very hard to reconcile the British thesis of limitation by numbers and our thesis of limitation by total tonnage, but I have been working for a long time to try to find some method of such a compromise, and the only method I can think of is to have a limitation both by numbers and by total tonnage in each category, but always reserving to the Nation the right to distribute that tonnage in such characteristics of units as are best suited to her needs; and that is the thesis that we maintained at Geneva in 1927; and the Japanese supported us, practically, in that theory.

I think that explains the general method. We realize that a certain objection may be brought against our thesis that we brought against the global thesis; that is, that in our thesis there was an elasticity within the category in using the tonnage that best suited the needs. But it is believed, and I firmly believe yet, sir, that that is the most ethical and the best method—certainly the simplest method—so far as that has been brought about—because it does reduce, as far as it is possible to reduce it, any uncertainty of a reduction and limitation of armaments; and that is brought about to a less degree by the fact that all Americans believe reduction and limitation of armaments must be limited as to time.

The CHAIRMAN. Admiral, I wish you would now give us your views in regard to this particular treaty.

Senator GILLET. May I ask a question before he leaves this subject?

The CHAIRMAN. Certainly.

Senator GILLET. I did not quite understand your meaning. Did you mean when you said that you considered the best method is to limit each category, but allow each nation to build according to its needs, that there should be no limitation on the size of the ships?

Admiral JONES. No, sir. There is a limitation placed by the Washington treaty on the size of these ships.

Senator GILLET. I did not understand whether you meant that there should be.

Admiral JONES. Yes. I did not carry it quite as far as that in our treaty. There was a limitation of the maximum unit size in each category, the maximum caliber of gun to be carried in each category, and back in 1927 a maximum diameter of torpedo tubes that could be carried.

Senator GILLET. Build according to their needs, but limited by those provisions.

Admiral JONES. With those limitations.

Senator SWANSON. See if I understand it. This treaty gives us 339,000 tons of cruisers, or all that we contended for at Geneva. Having granted us 339,000 tons of cruisers, or 250,000 tons as was authorized, limited not to exceed 10,000 tons for an 8-inch-gun cruiser, we would have the right to decide how many we wanted to carry 8-inch guns and how many we wanted to carry 6-inch guns.

Admiral JONES. Yes, sir; except—

Senator SWANSON. Within that limitation.

Admiral JONES. Except that within the figures given you must remember we have actually in existence a certain tonnage in 6-inch-gun cruisers that, of course, we could not get rid of, and that would reduce any other distribution we could make.

If the nations could start from the zero on that basis, our claim would be that we would have a right to the whole tonnage in 8-inch-gun cruisers. Great Britain would have the right to do the same if she wished to, but if her conditions warranted, or she felt it necessary to have a smaller number of 8-inch-gun cruisers and more 6-inch-gun cruisers, that was for her to decide.

The CHAIRMAN. Admiral, taking up the treaty that we have negotiated, we would like to have your views upon it that have occurred to you.

Admiral JONES. Shall I take it up from the beginning or mention certain articles that have occurred to me?

The CHAIRMAN. It will not be necessary for you to go through the entire treaty in detail, but give us your views on any article of the treaty you think needs explaining. Any suggestion that you wish to make in reference to any particular article we would be glad to have.

Admiral JONES. There are some things, sir, that I believe should be cleared up.

The CHAIRMAN. We will be glad to have your views upon them.

Admiral JONES. In the first place, sir, while we are not particularly affected by this; in article 1, part 1, it says, among other things: "France and Italy may, however, build the replacement tonnage which they were entitled to lay down in 1927 and 1929 in accordance with the provisions of the said treaty."

It is a question that if fitted with flying off and on decks on that tonnage it is understood that the carrier tonnage will not be prejudiced.

Under article 3, paragraph 2, Great Britain and Japan and ourselves are tied down to have none of that fitting on any of our capital-ship tonnage. This tonnage that they are allowed to build is in the capital-ship class.

I will skip from here down to where the admiral discusses the question of the cruisers.

He says:

You will note, sir, in article 8, that the unit allowed in the unlimited class is 2,000 tons carrying not more than four 6-inch guns and having a speed not greater than 20 knots.

The question of the unlimited category has come up at every conference. I personally, and the American delegation, have opposed such high speed in an unlimited category. We much preferred the Washington treaty limit of 15 knots, but the speed was reluctantly reduced in 1927 in a provisional agreement to 18 knots, which was pretty high. But now they have gone to 20 knots. That, to my mind, will make a very formidable antisubmarine craft, and also a formidable commerce raider in any restricted areas, such as the western Pacific, the Mediterranean, and in any waters close to bases.

That means that England, with her tremendous predominance in the small types of sea craft on which she can mount 6-inch guns, where the number is actually and absolutely unlimited under this treaty, instead of further limiting herself, gives herself a wider latitude in which to build.

Senator SWANSON. That privilege belongs to all three of the nations.

Admiral JONES. That belongs to all of us. I am merely calling attention to the fact that such a unit as that is less useful to us than to any other nation, practically. It is of very little use to us and may be of very great value to other nations.

Senator LA FOLLETTE. Explain, please, Admiral, why that is so.

Admiral JONES. A 2,000-ton unit with a 20-knot speed, and carrying four 6-inch guns and an unlimited number of 3-inch guns, may work in close, within their radius of bases, and within the close areas, and it seems to me to be a very dangerous unit to anything that you carry in that radius, such as submarines and certain merchant vessels.

Senator JOHNSON. What would be the sailing radius of that type of ship?

Admiral JONES. I should say, sir, very easily that kind of ship would have an operating radius of four to six thousand miles.

It will be noted that article 15 defines what a cruiser shall be.

It will be noted, too, that this vessel that I am just talking about falls within the definition of a cruiser.

I would like to call particular attention, sir, to article 15, as it has its bearing on later articles.

Article 15 defines cruisers and then divides the cruiser category into two subcategories. In my opinion, sir, calling those subcategories (a) and (b) is a misnomer. They are ships within a category, and have always been so considered, rather than subcategories.

The dividing of those cruisers into those subcategories, and dealing with those as separate entities, is contrary to the consistent attitude that we have maintained at all conferences up to this time, because it has been the British contention at all times, and their effort at all times, to limit us as well as possible in the type that we consider best suited to our needs—that is, in the 8-inch-gun cruisers.

It will be noticed, under article 16, that we are put down as entitled to completed tonnage, in the categories mentioned, to 180,000 tons of cruisers. I personally, of course, sir, objected, and have consistently objected, to this reduction to that number.

May I interrupt the reading at this point to say that it seems to me utterly ridiculous to say in this treaty that the United States contemplates building by 1935 eighteen 8-inch-gun cruisers, and then in the very second section from there—section 18—to make a directly contrary statement, to the effect that we can not build them if we want to; we can only have 15. How utterly ridiculous that seems to me, to write into a treaty anything of that sort, unless, indeed, there might have been some understanding that it was to be written in that way!

Then we find in article 18—

Quoting further from Admiral Jones—

that we are further limited in what we can do, so that we can not have that tonnage completed in 1936.

That is, the 180,000 tons.

You will notice, sir, in article 17 and practically all the rest of the articles, care is taken to refer to subcategories where it is considered necessary.

Our delegation at Geneva refused to have anything to do with subcategories in cruisers. Their position was, "One category; then let each nation, up to a certain tonnage, build as many ships of that type as it desires." We asked for ourselves only the same privilege we are willing to accord all other signatories to the treaty; but in the London conference we immediately adopted the British suggestion.

I am convinced, sir, that by article 19, if we build up to this tonnage that is allowed us to be built, we will come to a conference in 1935 frozen into a position from which we can not escape except by raising the limit, whereas Great Britain in 1935 will have 86,000 tons, which I

believe, sir, according to the wording of this treaty and according to the interpretation that is very liable to be placed on it at that time, Great Britain will have available for her readjustment to meet the conditions that may have arisen at that time.

I think I need not go into the possibilities of what may arise at that time that may require on our part a readjustment.

In this connection too, sir, it will be noted that by article 23 it is stated:

" * * * It being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to."

And that is the one in 1935.

Why that should have been introduced into this, of course, I can not judge, but it does open up a question, and a question that I am quite sure is going to be brought up in 1935, and that is the further increase in the ratio that Japan will demand.

If we build to this treaty, with the changes that are allowed us in this treaty, even supposing we do not accept the option that is granted us of 15,000 tons of 6-inch-gun cruisers for each 10,000 tons of 8-inch-gun cruisers, and we still stick to our 8-inch-gun cruisers, we will still be frozen into the position that we can not escape because we will have only 14,000 tons left to veer and haul on in 1935.

It has been said, and I believe, sir, that I realize that in the atmosphere of good intentions that I know prevailed in London while I was there, and the atmosphere of good feeling and everything that went on, if you had left this treaty to be written at that time I have no doubt in the world—I am only expressing my opinion, Mr. Chairman. If I am going too far I hope you will stop me.

The CHAIRMAN. Not so long as it is your opinion.

Admiral JONES. Sir?

The CHAIRMAN. So long as it is your opinion, that is what we want.

Admiral JONES. I have no doubt, sir, that if in London it had been proposed to make article 19 read as follows, it would have been accepted:

"Except as provided by article 20, the tonnage laid down of any category or subcategory subject to limitation in accordance with article 16 shall not exceed an amount necessary to reach the maximum amount of tonnage of the said category or subcategory."

But it was not. And this treaty is going to be interpreted in 1935 as the treaty is written, I fancy, and not as any intention was held in London.

I notice in the treaty where any intentions are mentioned it is "our intention" to do so and so.

I do not know of any further statement I have to make on the treaty at this time, sir.

Senator JOHNSON. Admiral, you have been in the Pacific, have you not?

Admiral JONES. Yes, sir.

Senator JOHNSON. You were there for a long period of time?

Admiral JONES. No, sir; I have not been much in the Pacific. I have been in the Philippines, in the South Pacific.

Senator JOHNSON. Have you anything to say as to the increase of the ratio of the Japanese?

Admiral JONES. I had left London when all that was taken up, sir; so, of course, I know nothing about it. All I can say is that I firmly believe from everything that I have studied and thought of that the 5-3 with Japan, under the circumstances which now exist as regards our bases and possessions in that area, in reality amounts to a 5-5 plus, because—and I expressed that opinion to the Japanese representatives in 1927, and I have had no cause to change that opinion since, but I very frankly told them that our studies would lead us to that, and if there was any trouble that occurred between our two nations, which I hoped would not be the case, that we must carry the war to that area, because there was no reason for their coming to our area to carry it on, and when we carry the war to that area with the conditions that exist, sir, I am firmly convinced the 3 of the Japanese really amounts to a 5 plus.

Senator JOHNSON. Would you consider the increase of the ratio of 5 to 3 unjust to our country?

Admiral JONES. It puts us, in anything that we have to do with that nation, sir, in a disadvantageous position.

I would like to say, sir, that in all of this I have struggled not to get advantage of anyone but to see that we are not put at a disadvantage, so that we will at least have an equal opportunity in those areas in which our geographical position and necessities require us to cooperate. And that brings in the question, to my mind, of the 6-inch-gun unit and the 8-inch-gun unit.

Senator JOHNSON. Would you proceed now with your views with respect to the 6-inch-gun cruiser and the 8-inch-gun cruiser?

I want to stop there for a moment to comment on a few words mentioned by the Senator from Pennsylvania [Mr. Reed], one of the negotiators of this treaty.

I was amazed to hear him say that Admiral Jones admitted that the only question about whether this treaty should be ratified or not ratified was the question of three cruisers; whether

three cruisers should be of 10,000 tons, carrying 8-inch guns, or whether we should have four cruisers carrying 6-inch guns of a smaller type. There is not anything like that in anything Admiral Jones said before the Foreign Relations Committee. Admiral Jones said the question was tremendously greater than the question of three cruisers, but that even if it were the question of three cruisers it would still be important enough.

I must mention here, since Admiral Jones is not here to speak for himself, since he has not had the opportunity to speak in this debate for himself, that the statements of the Senator from Pennsylvania are not in accord with the published testimony of Admiral Jones, and the statements of the Senator from Pennsylvania on this floor are very similar to the statements the same Senator has been making ever since he came back from London, and they are very decidedly misleading to the country and to the world.

This is what Admiral Jones said, and it is why I am reading it, with reference to 6 and 8 inch gun cruisers and other matters with reference to this treaty:

Senator JOHNSON. Would you proceed now with your views with respect to the 6-inch-gun cruiser and the 8-inch-gun cruiser?

Admiral JONES. In all of these studies of what must be done, sir, I think that you must take your vision beyond the farthest range of the battleship guns. We must consider those distant horizons over the seven seas in which we will be called upon to operate for the protection of our lines of commercial communication, many of them vital to our economic life and practically to our physical life. In all of those lines over all of those seas many of those operations must be carried on within easy radius of bases that do not belong to us.

Now, I realize fully that the possibility of getting parity in actual sea power with the strongest naval power in the world to-day is an impossibility, except on one of two alternatives. One is that they shall scrap a larger percentage of merchant tonnage and transfer to us certain bases neither of which is possible, and I would not ask it.

I may interrupt again there to say that, with the exception of transferring naval bases, that is precisely what we did in 1922, showing our good will to the other nations, parties to the treaty made at Washington. I read:

And the other is that we shall have a greatly preponderant combatant force, which we do not ask, because it is useless to ask. All we do ask is that we shall be allowed within our discretion to put the tonnage that is allotted to us under any limitation into such units that we can operate and carry on these unit operations in these distant areas; because they must be unit operations, pretty much.

That is what I have been trying to say time and again this afternoon, that in modern naval warfare the operations are pretty much unit operations, not fleet operations. I have never heard a single officer of the American Navy uphold the 6-inch-gun cruiser for any capacity outside of fleet action. If it has any advantage for any purpose in the world, it is in coordination with the fleet as a whole, and no naval officer has ever intimated, in testimony before either of the committees of the Senate, so far as I have been able to learn, that the 6-inch-gun cruiser had any utility anywhere else, or any advantage.

Admiral Jones continued:

When it comes to a limitation, and a low limitation, which we try to do, it must be unit operation in these distant areas where it is possible for other people to bring flock attack against us by virtue of having bases in those areas.

Our units must go out from the home base or from Hawaii to these distant areas and return there. There is nothing belonging to us in the areas to which we can go, and I believe firmly that for our purpose we need units which have not only long radius of action to take them out and bring them back, but we need units with the greatest power of survival, which means offensive power to keep other units away and as much defensive power as can be put in them, and I believe firmly that the combination of those characteristics is found in the 8-inch-gun cruiser in much greater degree than it can be found in a 6-inch-gun unit.

Senator GILLET. When you say "units," Admiral, do you mean single ships or do you mean a unit of a fleet?

Admiral JONES. A 6-inch-gun unit is a 6-inch-gun ship.

Senator GILLET. You mean they will go out in ships and not in a fleet?

Admiral JONES. We must carry on much of our operation in unit operations, and particularly when we are convoying. The escort of a convoy can not run. She has got to fight, whatever she is, and let her vessels that she is convoying run; but she can not run. She must stay and fight to keep the enemy from taking ships of the convoy.

There is no question about it, that where you have well-placed bases over the world, particularly those at the trade points of the world, they can bring flocks and do more than the particular unit attack, because they have the shorter range and can send their numbers.

That reminds me that the distinguished senior Senator from Arkansas [Mr. ROBINSON], one of the negotiators of this treaty, a day or two ago made the statement that Japan had also agreed to forego fortifying her naval bases around Japan. That means nothing. He seemed to suggest that because we were so far away from our home base, namely, the Pacific coast line, 8,000 miles, I think he said, we ought not to care to fortify these bases, and that Japan had made equal concessions. It is no concession when Japan agrees not to fortify bases around about her, which she can reach from her home ports. What does she need with fortifications?

She is right there at home. Her ships of war can dart out from her home coasts. But with us we must go 8,000 miles from our home ports, and fortified bases in the Philippines and the far Pacific would be of inestimable value to us. We gave up the right of fortifying our possessions in the far Pacific. Now we go to London and give Japan the higher ratio she demanded at Washington at the time of the Washington conference, and we get no reciprocal advantage, no reciprocal consideration. Still we are not permitted to fortify our bases in the Philippines and the far Pacific.

Mr. President, I think I will not read any more of this testimony. I have read thus extensively from the testimony because Admiral Jones is so outstanding as an expert and is considered as being outstanding as a naval officer. I thought his opinion ought to be in the Record, that it ought to be in there extensively, just as he gave it when he was called before the Foreign Relations Committee of the United States Senate, in order that the country may know what this gallant old sailor thinks about this treaty and the advantages which go to other countries under it and the disadvantages which accrue to us.

I do not care to read any more of this testimony of Admiral Jones and of others. I may say that the personnel of the Navy almost as a whole supports Admiral Jones. There are isolated cases here, there, and the other place, where some highly placed naval officer at the present moment undertakes to say a good word for this treaty; but I may say that even under those circumstances, and even in those cases, the praise is very faint, and in one outstanding instance of those cases the officer has changed his mind completely in the last year or so on the question of the 6-inch-gun and the 8-inch-gun efficiency and effectiveness.

Mr. President, the testimony I have just read, which was given by Admiral Jones before the Foreign Relations Committee, is practically a statement of the opinion of the American Navy on this treaty; and I submit that it should mean something to the Senate and to the people.

There is just a paragraph from the testimony of Admiral Bristol I propose to read, and then I shall leave this question. Admiral Mark L. Bristol, answering a question propounded by Senator WALSH of Montana, made the following statement:

Admiral BRISTOL. The General Board recommended at that time, in view of the proposition which was made to them, that the irreducible minimum, or really the maximum concession that should be made in order to not break up the conference and come to an agreement was twenty-one 8-inch cruisers; and they, at the same time, as Admiral Pringle has said—and I said the same thing—stated that the general principle of tonnage in categories should leave the country free to use that tonnage in any way the country considered best for its interests.

Then again:

I would like also to point out one more thing, and that is to call the attention of the committee to the possible precedents that might be established—

That is, under this treaty—

that is, if in 1935 we go to a conference, and we have admitted at this time that the ratios which were established in the Washington treaty have been sacrificed, we will be faced with that precedent when we come to that conference. If we give up the principle of parity which was established by the Washington treaty, we will also be faced with that precedent. In the Washington treaty the question of ratios, parity, and bases in the Far East was established and recognized.

Again:

Senator WALSH of Montana. Taking the treaty as a whole, it does not give you as much as you thought was the minimum limit to which concessions should go?

Admiral BRISTOL. It does not seem to me that the treaty is fair to us. That is the whole thing.

Mr. President, may I say to you and to the Senate and to the country that that is the whole thing? In my judgment the treaty is not fair to the United States. It is more than fair to

Great Britain and Japan. Our first consideration should be to see that it is fair to us, that the treaty is fair to the American people.

I have here a statement of the naval intelligence section. This is from the Office of the Naval Intelligence, a summary of the London treaty. Every Member of this body knows what the naval intelligence section is and what its duties are. As the term suggests, it is up to this section to know all about the Navy, about strategy, about other navies of the world, their disposition, and about limitations, if any are made, and about treaties providing for limitations. After a most exhaustive study of this London naval treaty here is a paragraph of the naval intelligence section.

I quote:

Of the 18 authorized for the United States, article 18 specifies that the sixteenth vessel will not be laid down prior to 1933 nor completed prior to 1936; the seventeenth not laid down prior to 1934 nor completed prior to 1937; the eighteenth not laid down prior to 1935 nor completed prior to 1938. The reason for this restriction is not stated. There is no corresponding restriction on the construction by Japan or England of vessels of either subcategory to the authorized quota. By the same article the last three may be transferred into subcategory B.

Mr. President, that is a most remarkable statement coming from the naval intelligence section. Just listen to it. After showing how our delegation agreed to restrict American building and American 8-inch-gun cruisers, after showing how strictly we were limited in providing for our national safety, the intelligence section of the United States Navy in its résumé makes this startling statement:

The reason for this restriction is not stated. There is no corresponding restriction on the construction by Japan or England of vessels of either subcategory to the authorized quota.

May I say that no one has ever yet explained that fact. I wish the Senator from Pennsylvania [Mr. REED] or the Senator from Arkansas [Mr. ROBINSON] would explain to the Senate and to the country why it was that surrender was made on these three ships and no restriction was exacted from the other nations parties to the treaty. The intelligence section of the United States Navy can not understand it.

Senators talk about parity, parity. Let us see about parity. In 1931 Great Britain will have nineteen 8-inch-gun cruisers. The most we can have up until 1936 is 15. Great Britain will have 19 in 1931, 19 in 1932, 18 in 1934, 17 in 1935, and the most we can have during all those years is 15. What chance would we have under this treaty if war should break out in the next five years? Of course, none of us expect to see war in that time and we all fervently pray it will never come again, but suppose it should come. We have always sought to avoid war, but suppose it should come, as it has come in the past, where would we be under this treaty? We would be utterly defenseless, restricted, not allowed to build the kind of ships which our national requirements would demand. Is it any wonder that some of us are opposed to the treaty?

No, Mr. President; in my humble judgment the treaty is bad for us. We had been far better off had it never been entered into, had it never been negotiated. I am sorry that it is brought back here in such shape that in order to protect properly the interests of the United States it must be rejected. I have high regard for the Secretary of State, who probably was most prominent in negotiating the treaty. No one here has a higher regard or greater loyalty personally for the present Chief Executive of the United States than I have. I have proven that on the floor of the Senate time and again. There have been times when I have not agreed on questions with the President of the United States and when I have voted my convictions. But, Mr. President, I am a sincere admirer of the President. That does not mean, however, that I must agree with him or with the Secretary of State or with my two distinguished colleagues on this floor, the Senator from Pennsylvania [Mr. REED] and the Senator from Arkansas [Mr. ROBINSON], on questions which may vitally affect the Nation. I must make up my own mind on those questions by the light that is given me to see, and I must vote finally and in the last analysis according to my convictions, conscientiously, in the best interests of the Nation we all love and are glad to serve.

Mr. President, if we had not entered into this agreement then we would be free to build as we saw fit. There is no doubt that we can build more easily to protect ourselves than any other nation on the face of the globe. If we had rejected the treaty because it was unfair to the United States and our delegation had returned home without a treaty, but with honor and with safety for the Republic, then after we went on with our program the other nations would quickly have agreed to terms that would be fair to us, and in the conference next year, which was already arranged for, or in a conference in 1932, 1933, 1934, or

1935, a real limitation treaty could have been entered into. We had been better with no treaty. I am of that firm conviction. Because I feel that way about it, because I feel that the acceptance of this treaty would gravely jeopardize and imperil the safety and security of the American Republic and the American people, I shall most certainly vote against ratification.

Mr. COPELAND obtained the floor.

Mr. JOHNSON. Mr. President, will the Senator yield, that I may suggest the absence of a quorum?

Mr. COPELAND. I dislike very much to crowd the Chamber. We have had here all afternoon an average attendance of not more than eight Senators; but if the Senator wishes I will yield for that purpose.

The VICE PRESIDENT. The Senator from New York yields.

Mr. JOHNSON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Goldsborough	McNary	Steiwer
Bingham	Greene	Metcalf	Stephens
Black	Hale	Norris	Sullivan
Blaine	Harris	Oddie	Swanson
Borah	Hastings	Overman	Thomas, Idaho
Capper	Hebert	Phipps	Townsend
Copeland	Johnson	Pine	Vandenberg
Couzens	Jones	Reed	Wagner
Dale	Kean	Robinson, Ark.	Walsh, Mass.
Duncan	Kendrick	Robinson, Ind.	Walsh, Mont.
Fess	Keyes	Robison, Ky.	Watson
George	Le Follette	Sheppard	
Gillett	McKellar	Shorridge	
Glenn	McMaster	Smoot	

The VICE PRESIDENT. Fifty-three Senators have answered to their names. A quorum is present.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. The Senator from New York has the floor. Does he yield to the Senator from Tennessee?

Mr. COPELAND. I yield.

Mr. McKELLAR. Before the Senator from New York begins his speech I ask to have inserted in the RECORD at this point a letter from Hon. Clem J. Jones, of Athens, Tenn., and also a telegram from the Hon. Edward M. Salomon, of Memphis, Tenn., in reference to the treaty. I call the attention of Senators to these communications, for they are both very worthy of consideration.

The PRESIDING OFFICER (Mr. SULLIVAN in the chair). Without objection, the papers presented by the Senator from Tennessee will be printed in the RECORD.

The letter and telegram are as follows:

ATHENS, TENN., July 10, 1930.

Senator KENNETH McKELLAR,

Washington, D. C.

DEAR SENATOR McKELLAR: I want to most heartily indorse your stand on the treaty now before the Senate. I sincerely hope that you will be successful in your effort to have all correspondence with respect to this treaty laid before the Senate before any action is taken by that body.

In my opinion there is a great principle involved, and the action of the Senate in this cause will set a precedent which most probably will be followed in the future.

It is clear that the founders of our Government intended that no treaty should be made by the President except "by and with the advice and consent of the Senate," etc. The Senators represent the States. The people of the States make up the Federal Government. The Federal Government acts for the States in making treaties, but can only act "by and with the advice and consent" of the representatives of the States. How can you advise the making of a treaty or consent to the making of a treaty unless you know all the facts pertaining to this treaty? It is a matter of common knowledge that treaties are subject to different interpretations. It is a matter of common knowledge that what took place before and after the making of a treaty can be looked to in construing the treaty. There can be no doubt but what there is much correspondence between the different governments parties to this treaty. This correspondence will probably throw much light on the view held by each Government as to just what the treaty means. If the Senate had this correspondence it could, by proper reservations, make clear just what the United States construed the treaty to mean. As it stands there may be letters or documents in the archives of the State Department in which the United States is notified that some other government places a construction on some section of the treaty entirely different to what the Senate might believe was a proper construction. The President might think this Nation correct in its interpretation. The Senate might think differently.

The people of the States are told by the President that he has made a treaty which affects their interest; that at and before the making of this treaty there was certain correspondence and documents passed between the people's Government and the other powers, but that "it is incompatible with the public interest" for the representatives of the people in the Senate to see this correspondence and these documents. With what public interest is it incompatible? The public interest of

the United States or the public interest of England or Japan? It is said that the correspondence does not amount to anything. If it does not amount to anything, let the light of day shine on it. The papers say that some of the administration spokesmen say that the correspondence is ludicrous. What do they mean by that? Has some other nation served notice on this Government that it construes the treaty to mean something that in the opinion of the President is ludicrous? Time might show that the thing was not so funny. It is said that to reveal the entire record might offend some friendly nation. If the Federal Government is sending or receiving communications which if made public would offend a friendly nation, isn't it proper that the Senate should know who is responsible for such communications?

I have heard nothing but commendation of your course in demanding that the Senate have full knowledge of everything connected with this treaty. I have heard people differ as to whether or not the treaty should be ratified. Some think it should be and some think it shouldn't. Very few of them know anything about it at all, but the common man in the street can readily see that the Senate of the United States would be leaping in the dark to ratify a treaty when it is a matter of public knowledge that there are written documents pertaining to the treaty and dealing with the treaty that the President of the United States says that Members of the Senate and the people of the United States shall never see and shall never know the contents thereof because "it is incompatible with the public interests."

If this treaty is ratified without the Senate receiving every word written in connection with the treaty, then the Senate has surrendered a right of the people guaranteed to them by the Constitution and has abrogated one of the functions delegated to it by the founders of our Government, and the legislative department of the Government has surrendered to the executive department. You will have set a precedent that will enable future Presidents, either intentionally or unintentionally, to enter into treaties and submit them to the Senate for its advice and consent, and to withhold from the Senate information which, if known, would probably defeat the ratification of the treaty.

Heretofore the President and the Senate with respect to treaties have been on equal footing. All cards were on top of the table. Now the Executive holds a card in the hole and says to the Senate play your hand and take my word for it that the card in the hole is nothing but a joker and doesn't count.

Stay with it until you know all the facts and you will have performed a public service worthy of a Senator.

Sincerely your friend,

CLEM J. JONES.

MEMPHIS, TENN., July 11, 1930.

Senator K. D. McKellar,

Senate Office Building, Washington, D. C.:

I read in to-day's paper that President Hoover refuses to show Senate treaty papers. That it would be a breach of trust. I think it is a breach of trust against the people of the United States for him to refuse 96 able Senators the privilege of seeing these papers and making their own decision as to whether or not the treaty should be passed. Surely the combined minds of the Senators are as good as a man's who was former British subject. I hope you fight this to a finish, for we just took a terrible licking on that disastrous tariff bill that was passed.

With kindest personal regards.

EDWARD M. SALOMON.

Mr. REED. Mr. President, will the Senator from New York yield to me, in order that I may put an article in the RECORD?

Mr. COPELAND. I yield.

Mr. REED. I ask leave to have printed in the CONGRESSIONAL RECORD the press release of the statement by Secretary Stimson on February 6, 1930.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AMERICAN DELEGATION, LONDON NAVAL CONFERENCE

(Statement by Henry L. Stimson, chairman of the American delegation, February 6, 1930)

At the opening of the conference, the United States delegation made no statement of its position of the needs of its country beyond the historical fact of the agreement in principle for parity between Great Britain and the United States. We are now in a position where we can go further. Following discussions among ourselves and negotiations with the British and Japanese which have clarified the limits of possible agreement our delegation has made suggestions as follows:

First, with Great Britain immediate parity in every class of ship in the navy. The gross tonnage of these two fleets is substantially 1,200,000 tons apiece. The negotiations between President Hoover and Prime Minister MacDonald last summer practically reduced the discussion of parity between them to the comparatively insignificant difference in their respective cruiser class tonnage of 24,000 tons. We propose to settle this difference as follows: Under our suggestion the actual tonnage difference between the two cruiser fleets will be only 12,000 tons. Of the larger cruisers armed with 8-inch guns, Great Britain will have 15 and the United States 18, an advantage to the latter of 30,000 tons. Of the smaller cruisers armed with 6-inch guns, Great Britain will have

an advantage of 42,000 tons. But beyond this, in order to insure exact equality of opportunity, the United States makes the suggestion that each country will have the option of duplicating exactly the cruiser fleet of the other. Thus Great Britain would have the option by reducing its number of small cruisers to increase its large cruisers from 15 to 18 so as to give it a total tonnage of 327,000 tons, the exact amount of tonnage which the United States now asks. On the other hand, the United States would have the option, by reducing its large cruisers from 18 to 15, to increase the number of its small cruisers so as to give it a total cruiser tonnage of 339,000 tons, the exact amount of tonnage which the British now ask.

In battleships we suggest by reduction in numbers on both sides to equalize our two fleets in 1931 instead of 1942. At present the British battleship fleet contains two more vessels than ours. In destroyers and aircraft carriers we suggest equality in tonnage, and in submarines the lowest tonnage possible. As is well known, we will gladly agree to a total abolition of submarines if it is possible to obtain the consent of all five powers to such a proposition, and in any event we suggest that the operations of submarines be limited to the same rules of international law as surface craft in operation against merchant ships, so that they can not attack without providing for the safety of the passengers and crew.

Second, our suggestion to the Japanese would produce an over-all relation satisfactory to us, and we hope to them. In conformity with our relations in the past it is not based upon the same ratio in every class of ships.

We have not made proposals to the French and Italians, whose problems are not so directly related to ours that we feel it appropriate at this time to make suggestions to them. A settlement of the Italian and French problem is essential, of course, to the agreement contemplated.

The United States delegates do not feel at liberty to discuss any further details in figures, and it is obvious that the announcement of hypothetical figures by others is calculated only to provoke argument.

Our delegation is in agreement on every item of our program, and we are in the most hopeful spirit that in cooperation with the other delegations the primary purposes of the conference, namely, the termination and prevention of competition in naval armament and such reductions as are found consistent with national security, may be accomplished.

This is all that we deem it helpful to state until our suggestions have been considered by the delegations to whom they have been sent.

Mr. COPELAND addressed the Senate. After having spoken for over half an hour he yielded the floor for the day. His entire speech is printed in the RECORD of July 16.

RECESS

Mr. REED. Mr. President, I move that the Senate stand in recess until 11 o'clock to-morrow morning.

The motion was agreed to; and the Senate (at 5 o'clock p. m.) took a recess until to-morrow, Wednesday, July 16, 1930, at 11 o'clock a. m.

SENATE

WEDNESDAY, July 16, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The VICE PRESIDENT. The Senate resumes the consideration of the naval treaty.

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

The VICE PRESIDENT. The Senator from New York [Mr. COPELAND] is entitled to the floor.

Mr. FESS. Will the Senator yield that I may suggest the absence of a quorum?

Mr. COPELAND. I yield for that purpose.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Bingham	Gould	McKellar	Shortridge
Black	Greene	McMaster	Smoot
Blaine	Hale	McNary	Steiwer
Borah	Harris	Metcalf	Stephens
Caraway	Harrison	Norris	Sullivan
Copeland	Hastings	Oddie	Swanson
Couzens	Hatfield	Overman	Thomas, Idaho
Dale	Hebert	Patterson	Thomas, Okla.
Deneen	Johnson	Phipps	Townsend
Fess	Jones	Pine	Trammell
Fletcher	Kean	Reed	Vandenberg
George	Kendrick	Robinson, Ark.	Walcott
Gillett	Keyes	Robison, Ky.	Walsh, Mass.
Glenn	King	Sheppard	Walsh, Mont.
Goldborough	La Follette	Shipstead	Watson

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORTON] is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROWN] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEAKE] are detained from the Senate by illness in their families.

I also announce that the Senator from Arizona [Mr. ASHURST], the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. CONNALLY], and the Senator from Kentucky [Mr. BARKLEY] are absent on official business, attending sessions of the Interparliamentary Union in London.

Mr. SWANSON. My colleague the junior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. FESS. I desire to announce that the junior Senator from North Dakota [Mr. NYE] is detained on business of the Senate, attending sessions of the special committee to investigate campaign expenditures. I will let this announcement stand for the day.

Mr. KEYES. I desire to announce that my colleague the senior Senator from New Hampshire [Mr. MOSES] is absent from the Senate on account of the death of his mother. I ask that this announcement may stand for the day.

Mr. NORRIS. I desire to announce that my colleague the junior Senator from Nebraska [Mr. HOWELL] is absent from the Senate on account of illness in his family. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty Senators have answered to their names. A quorum is present.

Mr. WAGNER. Mr. President, on my way from the Senate Office Building to the Capitol I was intercepted by some constituents, and I was delayed so that I arrived here about one minute after the roll call was completed. I should like to have the RECORD show my presence.

The VICE PRESIDENT. The RECORD will give the Senator's statement.

Mr. McCULLOCH. Mr. President, I was not recorded on the quorum call just made. I entered the Chamber a moment after the roll call was concluded, but not quite in time to be recorded.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. Does the Senator wish to address the Senate now?

Mr. McKELLAR. I would prefer to do so, but I do not want to interfere with the Senator from New York.

Mr. COPELAND. Very well; I yield the floor.

The VICE PRESIDENT. The Senator from Tennessee is recognized.

Mr. McKELLAR. Mr. President, on yesterday the Senator from Pennsylvania [Mr. REED] discussed in some detail the making of the treaty. He had a good deal to say about the several categories, and in the discussion which I intend to present this morning I shall follow along similar lines.

The Senator from Pennsylvania, after the preliminaries were over, first discussed the 1922 naval conference at Washington. He and I have very different views as to what was the result of that conference. Of course, as we all know, it concerned only battleships and aircraft carriers in the main. To be more specific, it did not do much else than concern the battleship categories of the various navies.

In order to see just what was accomplished at that conference, I want to read from the speech of Mr. Hughes outlining what was proposed. It is a very short excerpt from his speech.

Said Mr. Hughes:

The principal features of the proposed agreement are as follows:

CAPITAL SHIPS

The United States is now completing its program of 1916 calling for 10 new battleships and 6 battle cruisers.

One battleship has been completed. The others are in various stages of construction; in some cases from 60 to over 80 per cent of the construction has been done. On these 15 capital ships now being built over \$330,000,000 have been spent. Still the United States is willing

in the interest of an immediate limitation of naval armament to scrap all these ships.

The United States proposes, if this plan is accepted—

(1) To scrap all capital ships now under construction. This includes 6 battle cruisers and 7 battleships on the ways and in course of building and 2 battleships launched.

The total number of new capital ships thus to be scrapped is 15.

Listen to this:

The total tonnage of the new capital ships when completed would be 618,000 tons.

(2) To scrap all of the older battleships up to, but not including, the *Delaware* and *North Dakota*. The number of these old battleships to be scrapped is 15. Their total tonnage is 227,740 tons.

This plan, if carried out, would have meant the scrapping of 845,000 tons of battleships.

It will be remembered that when that conference met, under the plan of enlargement of the United States Navy started in 1916 the United States had the largest and strongest of that time in the world. That was the cause of that conference. Great Britain wanted to stop the building of those battleships; and, observe what the American representatives did at that conference. They agreed to scrap those 15 great battleships, two of them launched, and the others nearly completed. In addition to that, they agreed to scrap 15 other battleships at a cost to the United States of over a half billion dollars.

What did Great Britain do? How many ships did she scrap? Prior to the conference she had scrapped some 15, and after the conference she scrapped some 15 more obsolete ones. She kept the very flower of her Navy, while America sank 835,000 tons more than Great Britain had, all told, obsolete sunk and not sunk. I want to say that there was never in all the history of time such a naval victory as Great Britain won over the United States in the naval victory of 1922 at the Washington conference. The sinking of the armada was insignificant in comparison with the sinking of that great American battleship fleet by the British diplomats in 1922. The Battle of Trafalgar was of infinitesimal importance as compared with the great naval victory which Great Britain won over the United States at the Washington conference in 1922.

What was the result of it? I want to call the attention of the Senate to the result.

All of us remember that the propaganda then was the 5-5-3 ratio just as the propaganda now is parity. In the London conference the propaganda was parity; in the Washington conference it was the 5-5-3 ratio. When America sunk those 15 great new war vessels, the greatest that were ever constructed by any nation of the world when she voluntarily carried out her promise made by Mr. Charles Evans Hughes, one of our delegates, to sink that enormous tonnage of battleships, did we get parity? Did we get a 5-5-3 ratio? Why, bless your soul, Mr. President, the United States did not get anything of the kind; it got absolute inferiority to Great Britain in battleships.

What was the result? When the pact was signed, instead of having a 5-5-3 ratio, Great Britain was to have 22 battleships and America was to have 18; and also Great Britain during a term of years was to reduce her battleships until they finally reached the number of 18.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. I will yield for a question, but not for a speech.

Mr. SHORTRIDGE. How did the Senator from Tennessee vote on the treaty of 1922?

Mr. McKELLAR. I did not vote.

Mr. SHORTRIDGE. If present, how would the Senator have voted?

Mr. McKELLAR. I would have voted against the treaty had I been here.

Mr. SHORTRIDGE. Former Senator Gerry, of Rhode Island, announced that if the Senator from Tennessee had been present he would have voted "yea."

Mr. McKELLAR. I was in Tennessee in my campaign at that time, as I remember, and Senator Gerry did not properly announce my position. The Senator will find in the RECORD time and time again my position stated on the floor of this body in opposition to that treaty, and, as I recall, both before and after the treaty was ratified.

Mr. SHORTRIDGE. Did the Senator from Tennessee correct the record which has stood here since 1922?

Mr. McKELLAR. Yes; I have corrected it, not once but many times. I have made speeches against that treaty ever since it was ratified, and the Senator knows it; he has heard me make

those speeches on the floor, and I am making a speech now against the treaty. I am correcting that record now.

Mr. SHORTTRIDGE. I see the Senator is doing so, but did he state that Senator Gerry had misquoted him or misstated his position?

Mr. McKELLAR. No; to be perfectly frank, I never knew until I looked the matter up a day or two ago he had made that statement. He was in error about it, and that is all there is to it.

Now, let us see what happened as the result of the Washington conference. Did we get a ratio of 5-5-3? Oh, no. We got a ratio of battleships of 22 for Great Britain to 18 for the United States. Is there any 5-5-3 ratio about that? Not at all. However, that was not the principal disappointment. I want to call attention to the fact that after the number of battleships was fixed at 22 to 18, the American Battle Fleet was inferior in tonnage. At present, as applied to ships considered in the pending treaty, there is a difference of 21,000 tons, while under the Washington treaty the difference in battleship tonnage was nearly 75,000. So our fleet was inferior in numbers; it was inferior in tonnage; and it was inferior because the American ships were older, the average age of the American vessels being 12.3 years and of the British 11.4 years.

The next important difference in the two fleets was that the average speed of America's 18 ships was 21 knots an hour, while the average speed of Great Britain's 22 ships was 25 knots an hour. Four knots difference in Great Britain's favor.

The next difference was in guns. The American battleships were greatly inferior in the size of guns, and are still inferior in all these particulars. One battleship in the American fleet mounts 12-inch guns, 11 have 14-inch guns, and 3 mount 16-inch guns. The smallest main gun in the British fleet is a 15-inch gun, found on 13 vessels, while the remaining ships have 16-inch guns.

In addition to that, the American ships were, for the most part, inferior to the British ships in armor. Remember, Senators, when the Washington treaty was actually signed the American battleship fleet was inferior in numbers—18 to 22—inferior in the age of the ships; inferior in guns and in gun caliber; and inferior in speed by 4 knots an hour, which is an item of very great importance in naval warfare; but, over and above all that—and here comes the "joker" in that treaty—six months after the treaty was signed and ratified what happened? We all remember that President Coolidge sent a message to the Congress saying that experts had found that 13 of America's 18 battleships could not shoot as far as all of the British ships by from 3 to 4 miles. Parity! Instead of there being parity at the close of that conference, so far as fighting power goes, Great Britain had 22 battleships and America had 5 of a similar kind. What happened when President Coolidge sent in his secret message, which was considered in secret by the Congress at his request? He asked, as I remember, for six and a half million dollars to start the work—to do what? To elevate the guns on 13 of our 18 battleships so that they might possibly shoot as far as all the British guns could shoot.

Congress without a word agreed to it; we did not hesitate a moment; we furnished the President the money to get us out as far as possible of the deplorable situation in which we had been placed. Was the money expended for the purpose for which it was appropriated? No.

Great Britain at once protested. She said, "You have made an agreement and here it is; you took 18 battleships by name; we are not responsible that your guns can not shoot as far as our guns; you voluntarily sank your great new vessels; your spokesman, Mr. Hughes, voluntarily agreed to sink your good vessels, and you took these old ones. You have got to stick by your agreement." And we did stick by it. President Coolidge did not use that money; that six and a half million dollars was not used for the purpose of elevating those guns; the appropriation went by default. It was restored to the Treasury. Later on, as I understand, however, representatives of the Executive, with hat in hand, so to speak, went to Great Britain and asked her if we could not elevate the guns on two of our ships, and Great Britain, knowing that she had a tremendous superiority in battleships, graciously allowed us to elevate the guns on two of our ships. Instead of a 5-5-3 ratio, instead of a 22-18 ratio, in substance that gave us a ratio of 22 to 7.

Is there any parity about that? It is clearly a "joker"; and yet the Senator from Pennsylvania boasted yesterday that one of the reasons why this treaty ought to be ratified was that we had obtained the gracious permission of Great Britain to elevate the guns on the remaining 13 of our old ships!

Parity! I doubt very much whether in battleship strength we are 1, 2, 3 with Great Britain. It is exceedingly doubtful to-day whether in battleships we are on a parity with Japan, and surely there is no parity with Great Britain. Our own delegates

themselves to the London conference showed that they did not believe we were on a parity. Why do I say that? They made a proposal in the document which was put in the Record yesterday by the Senator from Pennsylvania [Mr. REED] after the Senator from California [Mr. JOHNSON] asked that it go in the Record. It is a proposal to Great Britain, and is found on page 164 of the Record. I quote as follows:

4. In order to realize now—

Listen to this—

4. In order to realize now the parity of battleship tonnage which was ultimately contemplated by the Washington treaty by balancing the *Rodney* and *Nelson*, the United States may lay down one 35,000-ton battleship in 1933, complete it in 1936, and on completion scrap the *Wyoming*.

Mr. President, here are our own delegates seeking to get parity, and were refused it, and yet the President of the United States and the Senator from Pennsylvania have said that we already have parity in battleships, because we have 15 under this treaty to Great Britain's 15! Let us see about that. Let us follow that up another step.

Great Britain under the 1922 treaty had the right to build two more ships to replace two of her ships, and she built the *Rodney* and the *Nelson* of substantially 35,000 tons each. Those two ships are now completed and a part of her navy. We have nothing in our Navy comparable to them.

Under the 1922 agreement, however, I desire to call attention to the fact that we have a right to build two more ships of the *Rodney* and *Nelson* class to replace others of our Navy. That right is taken away by this treaty; so that it turns out that if we ratify this treaty we are deprived of the right to get parity with Great Britain in battleships. We are deprived of the right we now have to build counterparts of the *Rodney* and the *Nelson*, ships of 35,000 tons. We have that right now under the 1922 treaty; but under this treaty, if it is ratified, the right of America to build two more of the *Rodney* and *Nelson* class is taken away; and that is one of the troubles about this treaty. Great Britain wants to continue her present superiority in battleships, and she does it in this treaty. There is not the slightest parity.

So I say that the ratification of this treaty, instead of bringing about the present parity in battleships, as the President said and as the Senator from Pennsylvania said, insures permanent superiority on the part of Great Britain.

The Senator from Pennsylvania says: "Why, we will get the advantage in having the right to recondition the remainder of the 13 old battleships." Well, so we do receive it; but when we recondition them, in the first place, what is it going to cost? The naval expert says that to continue that job it will cost \$80,000,000. We could build two new ships like the *Rodney* and the *Nelson* at the same cost that it will take to recondition these 13 old ones; and after we recondition them and after we elevate their guns there is no assurance that they will be equal to the great battleships of Great Britain that have already been built. Certainly it is admitted on all sides that they are not the equal of the *Rodney* and the *Nelson*; and there we are.

The President says, however, and so does the Senator from Pennsylvania, that this is taken care of by another situation. "Oh," says the President, "we have made an agreement for Great Britain to sink 5 battleships, America only 3, and Japan 1, and that puts America in the position of having 15 ships to 15 ships with Great Britain, and we have equality, and we have it now."

Mr. President, instead of bringing about equality, the very reverse is true. It is true that under the proposed agreement we do not build any new battleships until 1936, and none of the powers do. It is true that Great Britain sinks 133,000 tons of battleships and we sink 73,000 tons, in round numbers; but does that bring about parity? Why, quite the contrary. The Senator from Pennsylvania says that the five battleships that Great Britain is going to sink under this treaty have a larger gun caliber and that the ships are newer than America's. Suppose that is so; it does not bring about parity. Why? The reason it does not bring about parity is that as long as Great Britain holds the *Hood*, the *Rodney*, and the *Nelson*, superior to anything we have in our fleet, you could reduce them to three, and the inferiority of America would grow as you reduced them down. With 15 ships in our Navy, 13 of them these old ships which have to be reconditioned and the guns elevated, 2 or 3 of them I believe of a better quality, with Great Britain retaining the very best in her Navy, there is no possibility of parity.

Why, Mr. President, our own delegates asserted that there was not parity when they demanded just half the right to build just one of the *Rodney* class. They did not demand all the right we now have. Under the 1922 agreement America had the right to build two battleships of the *Rodney* and *Nelson*

class; but our delegates at the London conference did not demand all our present right to two. They just demanded half of it. They just demanded the right to build 1 battleship; and Great Britain turned it down, and would not permit them to build any, but did graciously permit them to elevate the guns on the 13 old battleships under the 1922 agreement in return for an agreement guaranteeing them continued control of the seas.

I want to say with regard to the 1922 agreement that it was the greatest injustice that was ever done America. Over half a billion dollars went to the bottom of the sea. Eight hundred and thirty-five thousand tons of the greatest ships ever built went to the bottom of the sea. Over half a billion dollars of the American people's money invested in these ships went to the bottom of the sea. What did Great Britain do? She sank 15 old hulks of 150,000 tons, or perhaps it was 10. She contributed nothing. While the Senator from Pennsylvania says and the President emphasizes that Great Britain is sinking 133,000 tons of battleships to America's 73,000 under the present treaty, I think I have demonstrated that with the sinking of those ships we are still in an unpardonable position of inferiority as to Great Britain; and no man, I do not care who it is, who will examine into this subject and who knows the facts, can for a moment say that there is parity between Great Britain and America in battleship fleets.

Mr. President, I want Senators to remember those figures—133,000 tons sunk by Great Britain under this treaty to 73,000 tons of the United States—but when we come to consider the whole tonnage, we have done in this treaty just what we did in reference to the treaty of 1922. We are doing all the sinking. I have the figures here. My recollection is that we sink about 238,000 tons, all told. Great Britain sinks 173,000 tons, and Japan sinks 71,000 tons.

Having had that much to say about battleships, if I am wrong about it I want to have a denial now. Is there any Senator on this floor familiar with the battleships who believes that we have parity in our battleship fleet, or will have when we have 15 to 15 under the terms of this treaty? If so, I should like to have him state it.

The Senator from Pennsylvania [Mr. REED] yesterday stated that the American delegates were at a disadvantage because we had so few ships when they went into this conference. Who put us at that disadvantage? It was the administration of President Harding, under the leadership of Mr. Charles Evans Hughes, now Mr. Justice Hughes, that put us in this pitiable position of inferiority; and they did it by sinking 835,000 tons of American ships without any consideration whatsoever. The 10 or 12 ships that Great Britain actually sank after the conference were immaterial. The tonnage at best was 150,000 tons, as against our 835,000. If we had not gone into the 1922 conference and a conference had been called this year, see what a position of strength we would have been in to have traded with Great Britain.

Oh, they say they do not want to trade. I do not know whether our delegates wanted to trade or not, but there were some British and Japanese delegates who did a lot of trading in both of those conferences. They did a lot of effective trading in both of those conferences. They traded America out of her position of first place and put her down probably in a position of third place among the navies of the world. It is a trade that I do not subscribe to, that I did not believe in at the time and I do not believe in now. I think it was the greatest blow to America that could possibly have been inflicted upon her.

I next come to the cruiser question. The Senator from Pennsylvania tells us about our pitiable condition as to cruisers when the conference met. Let us see what happened. By the way, there is something remarkable that I want to stop here long enough to call attention to. I call the attention of the Senator from Pennsylvania to it. Here is a book of seven or eight hundred pages about the Washington conference, giving all the speeches, all the various proposals, and finally the agreement. Apparently everything about that conference is in book form, published for the world. I then turn to the naval conference at Geneva in 1927, and I find in book form 220 pages about that, containing all the various proposals, the differences, and practically all the facts about it. I have not seen any book at all or any record at all of the 1930 conference. May I ask the Senator from Pennsylvania whether any record was kept of that conference?

Mr. REED. A record was kept by the general secretary, Mr. Hanke.

Mr. McKELLAR. Where is that record?

Mr. REED. I imagine it is in the State Department, or a copy of it.

Mr. McKELLAR. Has a copy of it been furnished the Senate?

Mr. REED. Not that I know of. I do not think it has ever been printed in book form.

Mr. McKELLAR. These other records were published within a very short time after the conference, shorter than the time that has elapsed since the London conference, for the benefit of the American people, the Senate, and everybody else.

Mr. JOHNSON. Mr. President—

Mr. McKELLAR. I wonder why it is that this third conference failed to follow the example of the two preceding conferences and have a record taken and kept and published about the proceedings?

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. I yield.

Mr. JOHNSON. Echo answers, "Why," to the question asked by the Senator from Tennessee. But I think I can inform the Senator from Tennessee that while a record has not been provided to any of those who are interested, nor to the United States Senate, which is entitled to the record, nevertheless, the State Department, I am advised, is engaged now in printing a volume devoted to its views, and possibly more than its views, concerning the London conference. That book is in course of printing. Its proofs, complete, I am advised, have been accorded to one admiral who was friendly to the plan that was adopted by the American delegation, and has been secretly guarded by him, and will be delivered to the public and the Senate after action upon this treaty shall have been taken.

Mr. McKELLAR. They want to take no chances.

Mr. JOHNSON. None.

Mr. McKELLAR. They will give no information until after the thing is over. Lock the stable after the horse is gone.

Mr. President, it is a remarkable thing. I want to say that I publicly here in the Senate protest against the secrecy surrounding this conference in London. I do not believe a representative of the people, whether he be President, or whether he be Senator, whether he be a commissioner at a peace conference, or any other representative officer or executive officer, has the right to conduct the people's business in secret. That is the trouble with this treaty. That is the reason why this is not a real peace treaty.

That is the reason why the treaty is a sham, and it has been publicly acknowledged as a sham by a great many. That is the reason why only three of the five powers signed it. That is the reason why we did not get anywhere. That is the reason why we almost brought on a war between France and Italy, when we were making this treaty. While this treaty was being made, they got up so much ill feeling, so much bad blood, so much jealousy, so much misunderstanding, so much concealment, that the result was that France and Italy were openly charged with being on the verge of war, and neither one of them signed the real treaty. M. Briand and M. Tardieu both time and again left the conference because they did not like the methods that were being pursued, among other things.

The public business should be transacted in public. There should not be any secret understanding or secret submission. It ought to be in the open light of day. The American people do not want their business transacted in secret. We have seen that in the Senate. There were protests against secret sessions of the Senate for, lo, these many years, and we just got open sessions after many years' fight, and we have open sessions now. Secrecy is one of the reasons for the failure of this treaty, the failure to get the signatures of all the powers, the failure to carry through the plan. If these matters had been conducted in the open, we would have fared very much better, and a treaty on very much fairer terms to the United States would have been the result.

Now, I come to the question of cruisers, following the argument of my friend the senior Senator from Pennsylvania [Mr. REED]. He says we went into the conference handicapped in the matter of cruisers; and we did. It is perfectly evident why. Great Britain came over here in 1922 and got us stopped in battleships. I say stopped in battleships; we not only stopped building them, but we sank all our best ones. We sank about 30. We sank about \$500,000,000 worth.

As soon as Great Britain did that, what next did she do? She went right back and began to build cruisers, building them as fast as she could. She had us stopped in battleships, she had a great superiority over us in battleships, so she went to the next class of ships, she went to cruisers, and she began to build them.

I want to take up the first class of cruisers first. The President said that we have a superiority in cruisers of the first class, or class A—that is, 10,000-ton, 8-inch-gun cruisers. Nothing under heaven could be further from the fact. Great Britain has 19 of those cruisers to-day. I want to give the

names of them. I am making no mistake about it. She has the *Shropshire*, the *Sussex*, the *Devonshire*, the *London*, the *Cannberra*, the *Australia*, the *Suffolk*, the *Cumberland*, the *Kent*, the *Cornwall*, the *Berwick*, the *Effingham*, the *Frobisher*, the *Hawkins*, the *Vindictive*, the *Dorsetshire*, the *Essex*, the *Norfolk*, and the *York*—19 of them. We have two of that class.

When we found that Great Britain was building all these large cruisers our naval officers saw that it was necessary for us to do something, so they recommended 23 of these 10,000-ton cruisers, they made that our naval program, and we have been building up to it. We have two already completed. We have seven or eight more in the course of construction. We have been wise enough to bring them up to 21, as I remember, and President Hoover stopped of his own accord the building of three when the London conference was called.

What was the purpose of the London conference? The purpose of the conference was almost identical with the purpose of the conference in 1922. The purpose of the 1922 conference was to stop America from building battleships, to sink as many of the good ones as possible, and the purpose of the conference of 1930 was to stop America from building these cruisers of the 10,000-ton, 8-inch-gun class. And they did it. They really cut us down 7, for we can only build as many as 16 during the period of the treaty, while our program calls for 23.

We need not conceal the purpose of the conference from ourselves. That was the purpose of it, and that was what was accomplished. Can there be any doubt about it? Not at all. I think I have the proof right here beyond the shadow of a doubt.

Listen to what the British Admiralty had to say about cruisers in 1922 and then witness what they did in 1930. I am talking about the 10,000-ton, 8-inch-gun cruisers. This is what they wired their representatives in 1922:

We welcome your decision to press for the total abolition of submarines. Even if you can obtain this, we wish to be consulted before a final decision is taken upon the limited scales of construction in small craft permitted to the various signatories. The position of Britain, with her world-wide possessions and food supplies, on the one hand clearly requires an entirely different standard from that acceptable by self-contained nations. We apprehend, however, that there is very little chance of the abolition of submarines being agreed upon, and in this event we must insist at all costs upon absolute freedom in regard to the character and number of all vessels under, say, 10,000 tons.

Those people think ahead, and I take off my hat to the representatives of our mother country. They know what they want, and they know it just about as well as any people in the world. They came here in 1922 for one purpose, and that was to sink the superior battleship fleet of America. They accomplished it. They met in London in 1930 with one purpose, and their purpose was to stop America from building any more than possible of the 10,000-ton, 8-inch-gun cruisers. They accomplished it.

Why do I say that? The conference of 1927 at Geneva proves it beyond the shadow of a doubt. Why did that conference fail? Because somebody did not discover there the subcategory idea. I do not know who discovered it finally, but it was not discovered in 1927, or, if it was, it was not agreed to.

Say what you please about Calvin Coolidge; he is very canny. He saw the point. The purposes of the 1927 conference were precisely the same as that of the 1930 conference, and Cal turned them down. Great Britain had a tremendous advantage there. America did not have even one of the large cruisers at that time, and without any of them her representatives stood there and fought and won.

I heard some Senator yesterday pay a tribute to Mr. Gibson, one of our commissioners. He gave him the credit for stopping the conference at Geneva. I do not know to whom the credit belongs, but if it was to Mr. Gibson, I say all honor to him for standing by American policies and American defense in that controversy.

The subcategory situation was not announced, they did not stop America from building those ships; and after that conference, it will be remembered, we added five more 10,000-ton, 8-inch ships to our program. We provided that in a law passed in 1929, and I am going to refer to it directly. I hope the Senator from Idaho will be here when I refer to it, because a section was inserted in that act on his suggestion which is intensely interesting in view of his present position on this treaty.

The British did not get what they wanted. In 1927 Great Britain wanted 70 cruiser ships of all kinds. She had 19 of the great 10,000-ton class. She had about 50 of the lesser than 10,000-ton class, or the 6-inch-gun class. She demanded that as her minimum and, I believe, wanted America to have 15 of the 10,000-ton class. I believe she was willing for her to retain

what she now has in the second class, namely, 10 ships of 7,000 tons each, with 6-inch guns.

They did not get by with that, but they got this conference in 1930, and they got by with it there. How did they get by? Mind you, there is no division into subcategories in battleships, there is no division by this conference into subcategories of submarines, no division into subcategories in destroyers, no division into subcategories in aircraft carriers. But in cruisers and cruisers alone they are divided into subcategories by this treaty under the statement that the United States has a superiority in cruisers. There is no such thing as superiority in cruisers of this class A. We have not got it.

At the end of the treaty period, if we build to the very limit during the entire time of the treaty, Great Britain will have 19 of the 10,000-ton 8-inch-gun cruisers and the United States can not possibly get over 16. We are prohibited from getting them. The unanimous opinion of all American naval officers—all of them except those appointed by Mr. Hoover and one or two of those have changed their minds—is that the 8-inch guns and the larger ships are superior to the 6-inch guns and the smaller ships. I do not think it would take a naval officer or a naval expert to understand that. The very statement of the kind of guns shows that the one is superior to the other.

Admiral Pratt was appointed chief of something in the Navy—I do not remember his exact title—and he has become a convert to the 6-inch guns, which I shall discuss directly. One or two other naval officers under appointment by the President have the same view. But the overwhelming opinion of our naval officers, as disclosed by the evidence taken before the Committee on Naval Affairs, is that the United States needs for her defense at least twenty 8-inch-gun 10,000-ton cruisers. We have no naval bases in the world outside of our own waters except at Manila, I believe. We are not like England in that respect. She has naval stations in all parts of the world—some 42 of them, I believe. We have got to have the larger type of ship with a wider range of cruising so our commerce can be protected on the high seas. Everybody agrees to that. There is no dissension of opinion in that regard. It is conceded by all.

Yet what is the purpose of Great Britain? It is to stop us from building those kinds of ships, and in this treaty she does it. By 1936, at the end of the treaty period, we get 16, if we build them all, if Mr. Hoover does not again reopen the law. Within two years thereafter we are entitled to two more, but that is our limit. The Navy officers say that 23 such ships are necessary for our defense. The naval officers whom we sent over to the London conference, "Admiral" Stimson and the other civilian admirals, say that our naval officers do not know what they are talking about and that 16 is all we need during the life of the treaty.

I do not know whether our naval officers know what they are talking about or not. I am inclined to think they do. I am inclined to think that President Wilson had a very long head on his shoulders. I have been in public life now for about 20 years. I have come in contact with a great many great men. I think President Wilson had the master mind of all those with whom I ever came in contact. I think he had the most wonderful grasp of public affairs of any public man I ever knew and the most wonderful information about them. I remember one occasion when I had announced that I was going to vote for ex-President Roosevelt to have a major generalcy and a division in France. President Wilson sent for me, talked to me out here in the President's room. He said:

"I am not a military man. I am a civilian. My life has not been spent along military lines, and neither has yours."

"When I went into this war I called a conference of the expert military men of the United States and asked them to recommend the man who could do this job in Europe effectively and well. They recommended General Pershing. I believe that their recommendation was good. I have appointed him to be in charge of American forces in France and I am going to the mat for him. I am going to stand by him until the end. I am not a military man and I am not going to put my civilian judgment up against the judgment of those military men in whom I have confidence. In like manner I have selected the naval officer to command the naval forces of the United States, and I am going to the mat for him. I am going to stand by him."

I want to say, Senators, that in both positions President Wilson exercised splendid judgment. It worked out perfectly. Who could have made a greater commander than General Pershing in the great World War? Who could have managed our naval affairs better than the admiral who had charge of them?

That was President Wilson's view. That is my view about this matter. I am not a military man. I am not a naval man. But men whom we have educated, whom we have selected from

various parts of the country, whom we have given the greatest military or naval education possible in the world, have spent their lives in trying to serve their Government along military and naval lines. They have become men who stand as high as any men in military life. When they tell me that they believe that our battleship fleet, in order to provide a proper defense for my country, should be this or that, I am going to take their view about it. I do not believe "Admiral" Stimson knows how to run or control our naval defense. As between this great body of naval officers, naval experts, admirals, men whom we have educated from the ground up, whom we have passed through the Naval Academy and given experience in our Navy, and "Admiral" Stimson, I do not hesitate. I will take their views before I take the views of any civilian. I believe they are right, and that we are wrong when we undertake to ratify a treaty which prohibits us from building the kind of ships which the American naval experts say are to the best advantage of the United States and for the best defense of the United States.

Mr. President, we have shown that during the life of the treaty Great Britain is superior to us as to these ships as 19 is to 16. She has 19 of them, and we will only have half that many during the principal life of the treaty. Is it not until 1936 that we can, by using all possible diligence, build up to the number of 16. When the claim is made that the United States is superior in 10,000-ton 8-inch-gun ships during the life of the treaty, it is absolutely incorrect; it is not a correct statement of the fact. We are absolutely inferior, overwhelmingly inferior, in the ships that Great Britain has. This treaty was carefully and wonderfully made in this respect. It is quite remarkable that when they were trying to give America superiority in battleships of the A class, 10,000-ton 8-inch-gun battleships, they give Great Britain 19 during the entire life of the treaty while the United States can not possibly get but 16!

I next come to the less-than-6-inch-gun, 10,000-ton ships. Here is our situation: We have 10 of them, 73,000 tons. How many has Great Britain? She has 39. She just gave an order a few days ago through her Parliament for three more. She is not stopping the construction of this type of vessels. Talk about limitation of armaments! Talk about reduction! The only real reduction is being made by the United States. The other reductions are not substantial. Great Britain has 39 to our 10, nearly four times as many.

What is the proposal with reference to that matter? Our naval officers say that of these ships of the smaller class we have all that are necessary; that what we need are 10,000-ton 8-inch-gun cruisers. It is said that we might have a few more 6-inch-gun cruisers, but it is wholly immaterial. What does Great Britain say? Great Britain says, "All right. Six-inch guns are the best guns. You have got to build the kind of ships we want you to build. They are more effective than your 8-inch guns. They can shoot just as far and penetrate just as far at a distance of 18,000 yards, and we think they are better." If they think they are better, why not let Great Britain build them just as she sees fit? If she thinks they are better than the 8-inch-gun 10,000-ton cruisers, why is Great Britain so greatly interested in having a limit placed on the number of 10,000-ton 8-inch cruisers we have?

It is said the difference between what the Naval Board recommended and what we get under this treaty is immaterial. If it is immaterial, why does Great Britain lay so much stress upon our not building them? Why is the subcategory system arranged in order to prevent it? What does Great Britain say? She says, "All right. You want parity. We will give you parity if you will take the kind of parity we will give you. We are willing for you to take so many of the kind of guns and ships that we want you to build, namely, 6-inch-gun, less-than-10,000-ton cruisers. We do not want you to have the kind of guns and the kind of ships that your experts, your naval officers, say are best for your defense. We think they are wrong. We want you to build 6-inch-gun cruisers and you can build them up to a parity if you want to do it."

Mr. President, I do not know but what that is a very fine thing for Great Britain. If I should unfortunately get into a fight with HUBERT D. STEPHENS, at whom I am looking, and I had a good revolver, a .45-caliber gun—I am not very familiar with them, but I believe that is a good size, substantial gun—I would want him to use against me the smallest caliber and weakest gun I could persuade him to buy. I would rather for him not to have any if I was going to get into a fight with him. That is Great Britain's position in this conference.

Here we, who are representing America and America's defense, are going to let another nation select the kind of guns with which we are to fight! We allow her to select those guns by our consent!

So far as I am concerned, I pray to God that we may never get into war with Great Britain or with any other nation, but

in any event, I for one, will never by my vote permit the other country to select the kind of guns with which we are going to fight her. It would not be common sense, and, so far as I am concerned, I shall not agree to it.

Mr. President, I was greatly interested in another feature of the speech of the Senator from Pennsylvania [Mr. REED]. I want to read the title of this treaty, which is "a treaty for the limitation and reduction of naval armament." I wish to discuss the question of the reduction the treaty proposes to bring about; but before I go into a new subject I wish to give the figures as to what we agree to do in the way of sinking by this treaty. I can not find the exact figures just at this moment, but I will give them in a substantially accurate form.

Mr. President, by the terms of this treaty we sink, all told, 238,000 tons, Great Britain 173,000 tons, and Japan 71,000. These figures are the totals for all classes of ships to be sunk.

As I have previously stated this morning, in the conference at Washington in 1922 America agreed to sink 835,000 tons, Great Britain agreed to sink 150,000 tons, and Japan agreed to sink a small tonnage. Under the pending treaty America agrees to sink some 238,000 tons, Great Britain 173,000 tons, and Japan, as I remember, 71,000 tons. If we shall continue this kind of "reduction" of naval armament, it will take but three or four more conferences like the 1922 and the 1930 conferences for America to have no Navy at all. We are agreeing to do the sinking. We will sink more than double what Great Britain will sink.

Of course, if we want to disarm, if we want to leave our country helpless, if we want to leave it as China is left, this is a fine policy; but, in my judgment, Mr. President, America is the greatest force for peace in all the world to-day. Why do I say that? It is because we do not covet any other nation's territory; we do not want the possessions of any other country; we do not want the property of other nations; we do not want to interfere with their rights; we do not want to interfere with their sovereignty. We have but one desire, and that is to safeguard our own welfare, to maintain the peace of the world, so far as we can, and to trade in harmony and peace and good will with all the world. That is the purpose of America. It is a high and noble purpose.

Is that the purpose of other nations? Quite the contrary. The ambition of Great Britain is to take the lands of other nations wherever she can take them. She has been doing it throughout her entire history. In the last war she received a veritable empire as her portion of the spoils, and Japan received almost an empire. Her purpose and the purpose of Great Britain are entirely different from the purpose of America. We wanted no indemnity; we wanted no territory; we wanted no superior rights. All we wanted was to protect our interests, to maintain our proper defense, to maintain the peace of the world, and to trade with the nations of the world in harmony and peace wherever we desire to do so. That is our ambition, but what I have stated are the ambitions of these other powers.

What will happen, Mr. President, if we disarm ourselves? We will be in just the same condition which the Senator from Pennsylvania depicted on yesterday. We will be at a woeful disadvantage. If we shall disarm, if we shall sink our ships, if we shall do away with our defense, if we shall destroy our Navy, either by piecemeal or all at once, as we came mighty near doing in 1922, we shall have destroyed our own power to do good in the world, and thereby we shall have destroyed the greatest force for peace in all the world. There is but one way we can hold our proper place and aid in preserving the peace of the world, and that is to have a strength equal to that of the most powerful nation. That is the only way it can be brought about. So, Mr. President, I say when we disarm and no other nation disarms we are doing our country the greatest wrong and the greatest injustice, and not only doing our country a great injustice but we are doing the peace-loving world an injustice.

Who cares whether China in any contest is on one side or the other? Who cares whether India, for instance, is on one side or the other? Though there are several times more people in India and in China than there are in America, who cares about what their position is on any world question? They have no power to enforce their position; they are helpless; and we, too, will be helpless if we disarm, if we continue to sink our Navy as has been done in these two conferences.

Mr. President, I am no militarist; I am a peace-loving man; but I know that the American people are never going to stand for wrong or injustice to be done to them, and the only way we can prevent wrong and injustice is to have a navy adequate to our defense and our needs.

I call attention here, Mr. President, to a remarkable omission in the statement of the Senator from Pennsylvania [Mr. REED]

on yesterday. He tried to show that Great Britain would sink a few more battleships than would we, and that is true; but it is equally true that, even with those ships sunk, Great Britain will have a superiority over America in battleships, and, considering all sinkings, including submarines, destroyers, and battleships, America will sink nearly twice as much tonnage as Great Britain will sink. However, not a word was said about that during the entire propaganda sent forth in behalf of this treaty.

It has been constantly dinned in our ears that by a reduction of naval armament a great saving will be effectuated for the American people; that we will not have to keep up a great Naval Establishment at enormous cost. That was exactly what was said in 1922. That was the reason given for the Washington conference. I will digress here long enough to show how wrong were those who made that contention, and I will give the figures. Instead of decreasing the cost of naval armament we have increased the cost every year but one since 1922.

One of the reasons for the propaganda in favor of the 5-5-3 ratio in 1922, as stated by Mr. Hughes and others, was that such a ratio would involve a reduction in taxes of the American people because of a decrease in naval expenditures. It would bring them down to a minimum; it would save the American people an enormous sum every year in taxes. Let us see what the facts are as to that contention:

In 1923, the first year after the Washington treaty, we spent \$322,000,000 on our Navy; in 1924 we spent \$324,000,000 on our Navy; in 1925 we spent \$326,000,000 on our Navy; in 1926—and that was the only year when the amount fell, and it only fell \$15,000,000—we spent \$311,000,000 on our Navy; in 1927 we spent \$322,000,000 on our Navy, in 1928 we spent \$338,000,000, in 1929 we spent \$362,000,000, in 1930 we spent \$364,000,000, and the appropriations for 1931 for our Navy are \$382,000,000. Yet, Mr. President, we hear much about saving taxes to the American people as the result of naval conferences!

When we were building up our Navy, when we were building the giant battleships that Mr. Hughes sent to the bottom of the sea, what did we spend? In 1911 we spent \$119,000,000—not half as much as we have been spending each year since the Washington conference of 1922—in 1912 we spent \$135,000,000; in 1913, \$133,000,000; in 1914, \$139,000,000; in 1915, \$141,000,000; in 1916, with the World War on, \$155,000,000; and in 1917, when we were fighting the war and building great battleships, we spent \$257,000,000 on our Navy, or nearly \$100,000,000 less than we have been spending for our Navy every year since the treaty of 1922!

Yet we hear constantly the statement made that taxes are reduced on account of limitation of arms conferences. It just is not so; it is not the truth; and a statement of that kind will not hold water, for the fact is, as I have shown, that we have appropriated \$382,000,000 for our Navy for the next fiscal year, and the appropriation will probably reach \$400,000,000 the following year, treaty or no treaty. So, Mr. President, the talk about the saving of money to the people is all poppycock. Instead of saving money, what will happen if this treaty shall be ratified? If we shall carry it out in good faith, this is what will happen: We will have to spend \$80,000,000 to revamp the remaining 13 old battleships. That is the proposal under this treaty. I have the figures here for other expenditures, and, as I desire to be accurate, if the Senate will excuse me for a moment, I will find them so that there may not be any mistake. This is going to be the cost of this treaty: Five cruisers, half constructed up to this date, \$42,500,000. I call the attention of the Senator from Utah to that fact. He is on the Finance Committee, which raises the money, and he is also on the Appropriations Committee, which expends it. Here is what we shall have to expend if we ratify this treaty. Here is what is provided for—and I get these figures from the Navy Department, so I know that they are correct:

Five cruisers, half constructed, \$42,500,000.

Five more just laid down, to cost \$17,000,000 apiece, \$85,000,000.

Two yet to be laid down, \$34,000,000.

Three more to be laid down during the life of the treaty, \$51,000,000.

Cruisers of class B type: That is the type, you know, that Great Britain is willing for us to build, and our experts say that they should not be built; that they are not the proper kind of ship for American defense; but if Great Britain tells us we can build them, as she does under this treaty, and we carry out the terms of the treaty, we shall have to build cruisers of the class B type at a cost of \$130,000,000. They cost \$15,000,000 apiece—\$15,000,000 apiece; \$130,000,000 to build ships that our own experts say ought not to be built!

In addition to that—I am anticipating myself a little; I have not discussed the destroyers or the submarines—but the de-

stroyers that we shall have to replace, if we carry out the terms of this treaty, will cost \$236,000,000.

Submarines to be replaced, \$99,000,000.

Modernizing battleships, \$70,000,000.

A grand total of \$773,000,000 for these ships that we are permitted to build under this treaty, and a great number of which our own experts say we ought not to build! The financial experts in the Navy Department have said that by the time we complete the program authorized by this treaty it will cost the United States Government an additional \$1,070,000,000; and Senators talk about this treaty reducing taxes on the American people! Why? Is a billion dollars of so little importance that we may just wave it aside and say, "All right; let us build them." Great Britain tells us what kind to build. Let us build as she directs. Many of these ships that are authorized to be built are not the kind of ships that our experts say are necessary to our defense. They do not want to build them, but we must build them under this treaty if we are to have parity. We must build them if we carry out the terms of the treaty; and yet they cost over a billion dollars, and still Senators talk about reducing taxes by this treaty!

Mr. President, I again say that it just is not the fact; that is all. There will be no reduction of taxes; but, instead, we shall have the greatest expenditure of money that we have ever had for naval building in this country.

Why is the Senate going to do it? What reasons are there for doing it? There is no reason for doing it. It is a wasteful and an extravagant expenditure of the public money. If there were no other reason than this single reason, the treaty ought to be defeated. We ought not to undertake this tremendous building of a navy under the treaty; and surely we ought not to build it when we have to build the kind of ships that our experts say we should not build, and build largely the kind of ships that Great Britain wants us to build. Is it fair? Is it just? Is it right?

I next come to the question of destroyers.

When we went into the conference, as stated by the Senator from Pennsylvania yesterday, we had—I will put the figures in exactly, and depend on my memory for accuracy—we had 290,000 tons of destroyers. Great Britain had a much smaller tonnage, 191,000 tons. Japan had a substantial number of destroyers. The exact figures I will give in the Record. What happened? We just came on an equality with Great Britain on destroyers. We did not charge her anything for it. We did not get anything for coming down. We had nearly twice as many as she had, but we reduced our destroyers to her number.

When it came to submarines, we had about 85,000 tons of submarines, and Great Britain had 63,000 tons; and we fixed a limitation of 52,000 tons, and gave Japan equality on the 52,000 tons.

In other words, where we have the superiority we do the sinking, we come down; but where the other nation has the superiority we fix no limit for her. We fix no limit on cruisers, because Great Britain has four times as many as we have; but when it comes to destroyers, where we have nearly twice as many as Great Britain, we reduce down to her level, and we do the sinking. When we have a much larger tonnage in submarines than Great Britain we do the reducing and come down to her level, and sink our extra amount of submarines. It was the same way with battleships in the 1922 conference. Ah, but when it comes to cruisers, which are the real backbone of the navy, instead of asking Great Britain to come down we allow Great Britain to retain her superiority; and not only that, but we give her the escalator clause provided in this treaty, which says that if she thinks that some other nation—not America, not Japan, but some other nation—is likely to build more ships than she thinks ought to be built to give her a double superiority in Europe, she can build without limit.

Is there any limitation about that? Great Britain can write us a letter to-morrow, if we ratify the treaty to-day, and proceed to build cruisers. Indeed, she is building three cruisers now. Her Government has just introduced a bill to authorize the building of three more cruisers. I think the appropriation authorized is \$45,000,000. Does that look as though she has any limitation? There is no limitation so far as Great Britain is concerned.

The friends of the treaty say, "We have the right to do the same thing." Well, Heaven knows, we can not exercise that right. No other nation is going to build to our detriment. Suppose France built twice as many as she has. It would not affect us. We would not build on that account. Suppose Italy, under Mr. Mussolini, should build ten times as much as she has. It would not interfere with us. We would not bother about it. We would have no right to use the escalator clause. The escalator clause in this treaty was put there for Great Britain, and Great Britain alone. It was put there to prevent

a limitation of Great Britain in cruisers. It was put there to prevent a reduction on the part of Great Britain. It ought not to be in this treaty; and no Senator, as it seems to me, is justified in voting for the treaty with such a clause in it.

So, Mr. President, there are the four categories. I have not spoken about aircraft carriers. We have a limited amount of those. It is largely immaterial. I have never seen but one aircraft carrier, and it looks to me as though it is the greatest target in the world in time of war. There ought to be some other method devised for carrying aircraft around the world, and there will be, because I can not imagine a better target for an enemy on the ocean than the kind of aircraft carrier that the nations now have. But, however that may be, it is immaterial.

Now, here is the Navy. The great component parts of the Navy are these five classes—battleships, cruisers, submarines, destroyers, and aircraft carriers. They make up our Navy, and we are inferior in every single one. I have already pointed out how we were tremendously inferior to Great Britain in battleships. We are tremendously inferior to Great Britain in cruisers of all kinds, of both categories. We are inferior in destroyers. Why? Because at the end of this period all of our destroyers will be obsolete, and the only way we can get by is with this enormous building, while Great Britain has many destroyers that are of comparatively recent date. The same is true of submarines.

In other words, if we carry out the terms of this treaty we shall have to renew our submarine force and our destroyer force entirely, at a cost of three hundred and thirty-odd million dollars.

Mr. President, I want to recapitulate here on cost with and without the treaty:

COST OF THIS TREATY

The President says that the cost of our Navy will be greatly lessened by entering into this treaty. Let us see whether he is correct about it or not. There are to be no replacements in battleships. The cost of cruisers to be constructed is as follows:

5 cruisers half constructed.....	\$42,500,000
5 more just laid down.....	85,000,000
2 yet to be laid down.....	34,000,000
3 more to be laid down during the life of the treaty for completion afterwards.....	51,000,000
Cruisers of class B type.....	130,000,000
2 to be replaced.....	26,000,000
Destroyers to be replaced.....	236,000,000
Submarines to be replaced.....	89,000,000
Modernizing of battleships.....	70,000,000

Making a grand total of \$773,500,000. And yet the President talks about a reduction of cost upon the American people. Of course, there are many other items of cost in addition to this \$773,500,000 specifically provided for, such as smaller vessels and aircraft carriers, so that the Navy Department has generally held the cost to be a billion and seventy millions of dollars, which is, of course, nearer the true figure.

COST WITHOUT TREATY

Now let us see what would happen without the treaty. The cost of eighteen 10,000-ton cruisers of the 8-inch-gun type would be the same, namely, \$178,500,000. The probabilities are we would replace very few destroyers or submarines. Building two battleships of the *Rodney* and *Nelson* class would cost \$80,000,000. Under the program we would build five more, which would cost \$85,000,000 more, a grand total of \$343,500,000, or about one-third of the treaty requirements, and if we build under the treaty we would build 143,000 tons of cruisers carrying 6-inch guns, which we do not need and which substantially our entire Navy is opposed to.

So, Mr. President, what do we get out of this treaty? We are at a disadvantage. We are limited without other nations being limited. We are reducing almost twice as much as any other nation and without any reasonable compensation for it. In my judgment, the treaty of Washington, as bad as it was, as indefensible as it was, is not as bad and not as indefensible as the treaty of London of 1930.

Talk about our going to another conference! The Senator from Pennsylvania stated that one of the reasons why they did not get a better treaty was because we were so handicapped by having so few cruisers and handicapped by the result of the Washington conference in regard to battleships. My heavens! We could build a *Rodney* and a *Nelson*, or two ships of that class, with the same amount of money that it is going to take to revamp our old inferior battleships, and with those two built we would be in a very much better condition to deal with the battleship situation in the future.

If we built the twenty-three 10,000-ton, 8-inch-gun cruisers that we have a right to build now, and that we have already authorized, we will be infinitely stronger in the next conference than we have. We have destroyed our Navy once; and that is

a remarkable thing. I stop here long enough to say that when a man eulches me I am very careful about the next time I deal with him; but that is not so with America. It is known of all men that we were simply eulched by Great Britain in the conference of 1922. There is not a man who will dispute it. We were grossly taken advantage of in that conference; and I do not mean that in an improper sense. The British were just better traders than we were; better diplomats than we were. We were grossly outraded in that conference, and yet we come right along and let them hit us in exactly the same place again. They are eulching us again in 1930, just as they did in 1922, and we are standing for it. We are saying, "Thank you for doing it." We are letting them do it to us first. We are the first to ratify the treaty. To be sure, that is the reason for this haste.

Why should we undertake to put through in less than three weeks a treaty that it took the conferees three months to make? They debated it for three months. We are equal in the treaty-making power. They will not give us the facts on which the treaty was based, and they want us to ratify it in less than three weeks. I think, in fact, they wanted us to do it in three days. If some of us had not objected, they probably would have asked us to do in three days what it took our commissioners three months and more to do.

Mr. President, it is just not a proper treaty. Suppose the conference had wanted to bring about real limitation; what would have happened? Navies are measured in tons, just as money in this country is measured in dollars. It is the uniform system of measurement the world over. Every country that has a navy measures it in tons. That is fundamental; it is as simple as measuring money in dollars, or by the dollar method.

Why was any other method followed? We measure battleships in tons, we measure submarines and destroyers in tons. Why have a different yardstick, a different measure, for cruisers? It was the so-called Hoover yardstick. It was done to prevent our building the kind of cruisers we needed for our defense, according to our experts, and to insure that we should build the kind of guns Great Britain wanted us to build. That is all there is in it.

Suppose we had wanted to get a parity in all vessels; how would we have gotten it? It would have been the simplest thing in the world. Suppose we had made this offer: Great Britain is to have 300,000 tons of battleships, and she can build any kind she wants. America is to have 300,000 tons of battleships, and she can build any kind she wants. Japan can have such and such a ratio, and she can build any kind she wants within her ratio.

When it comes to cruisers, Great Britain shall have 239,000 tons, and build any kind she thinks necessary for her defense. America shall have 239,000 tons of cruisers, and she can build any kind she wants. Of destroyers there shall be 150,000 tons to each nation, and they can build any kind of destroyers they want. In submarines they shall have 52,000 tons to each nation, and the right to build any kind they want.

Could there be anything fairer than that? Would it be necessary to have secret diplomacy to bring that about? Is it not certain that that is a fair, just, and honest way to get parity, or a limitation of arms, if people actually want that?

I must read two things here just to show the peculiar angle, if I may so express it, of modern treaty making. I read now from the report of the conference of 1922. Listen to this:

The contracting powers may retain, respectively, the capital ships which are specified in chapter 2, part 1. * * * All other capital ships, built or building, of the United States, the British Empire, and Japan shall be disposed of as prescribed in chapter 2, part 2.

* * * The British Empire may, in accordance with the replacement table in chapter 2, part 3, construct two new capital ships.

By the way, that is the provision under which they got the *Rodney* and the *Nelson*, and that is how they got the superiority in the battleship fleet. In almost every article reference is made to some other article and some other chapter and some other section and some other provision. It is a maze of words and references which ought not to be used in any treaty, and had but one purpose, and that was to give somebody an advantage. Of course that was the reason for it.

When it comes to the pending treaty it is even worse. Nearly every article in it refers to some other chapter and some other article in this or some other treaty. They start out this way:

The high contracting parties agree not to exercise their rights to lay down the keels of capital-ship replacement tonnage during the years 1931-1936, inclusive, as provided in chapter 2, part 3 of the treaty for the limitation of naval armament.

What does that mean? One has to work it out to see what it means. Why could they not have said that Great Britain does not desire America to use its present treaty right to build

two more battleships of the *Rodney* and *Nelson* class, therefore we declare a naval holiday for those five years in which the United States has the right now to build those two vessels?

Great Britain does not want the United States to build two ships of that class, and therefore in this indirect way Great Britain denies to America the right to build those two ships of that class, thus insuring the present superiority of the British battleship navy over the American battleship navy. Under the guise of a naval holiday, Great Britain stops the United States from building the two ships which would bring the United States nearer to battleship parity.

Listen to this:

This provision is without prejudice to the disposition relating to the replacement of ships accidentally lost or destroyed contained in chapter 2, part 3, section 1, paragraph (c) of the said treaty.

A man has to be almost a Philadelphia lawyer in order to work it out and see what the references lead to.

It wires in and wires out
And leaves the people all in doubt,
As to whether the snake that makes the track
Is going on or coming back.

This whole treaty is filled with that kind of references. One can not tell whether it is going forward or coming back. But if one studies it, he will find that there is hardly a clause which is not to America's detriment and to the advantage of another nation.

I come to the next provision. You can not even tell whether they are going to sink a ship or not. You can not tell whether they are going to destroy one. You can not tell what they are going to do with it. Listen to this:

ART. 2. The United States, the United Kingdom of Great Britain and Northern Ireland—

Sometimes they say, "The United States and Great Britain and Northern Ireland," sometimes "The United States and Great Britain, Northern Ireland, and the empires of the sea." All kinds of names are given, all of them having a meaning. What was that song of some years ago?—

Every little movement has a meaning all its own.

So it is that every little word in this treaty has a meaning all its own, and when you work into it, when you bore into it, when you pry into it, you find that it is something to America's injury and the other nations' benefit. Like, for instance, when it was found that the United States could not elevate the guns on her own ships.

ART. 2. The United States, the United Kingdom of Great Britain and Northern Ireland, and Japan shall dispose of the following capital ships as provided in this article:

United States: *Florida*, *Utah*, *Arkansas* or *Wyoming*.

That is pretty plain.

United Kingdom: *Benbow*, *Iron Duke*, *Marlborough*, *Emperor of India*, *Tiger*.

Japan: *Hiyel*.

(a) Subject to the provision of subparagraph (b), the above ships, unless converted to target use exclusively in accordance with chapter 2, part 2, paragraph 2 (c) of the Washington treaty, shall be scrapped in the following manner:

In other words, they can be used this way and that way or the other way, and if they are not used this way, that way, or the other way, then they can be used according to this treaty. Listen to this:

One of the ships to be scrapped by the United States and two of those to be scrapped by the United Kingdom shall be rendered unfit for warlike service, in accordance with chapter 2, part 2, paragraph 3 (b) of the Washington treaty, within 12 months from the coming into force of the present treaty. These ships shall be finally scrapped—

By the way, none of them are to be scrapped until 30 months. The treaty is to last for six years or six years and a half. Two years and a half they retain all these ships under the terms of the treaty. Talk about sinking them!—

These ships shall be finally scrapped in accordance with paragraph 2 (a) or (b) of the said part 2 within 24 months from the said coming into force.

I do not believe anybody in the world understands that. The junior Senator from California [Mr. SHORTRIDGE], who is looking at me, is a great lawyer, a man of great ability, a man of great discernment in the examination of contracts, a man of great learning, but I do not believe he knows what this section means.

Mr. SHORTRIDGE. It is very simple.

Mr. McKELLAR. Very simple?

Mr. SHORTRIDGE. Very simple.

Mr. McKELLAR. I hope the Senator will talk a little upon it before the treaty debate is over, and explain its simplicity. To my simple mind it is not very simple. I read further:

In the case of the second of the ships to be scrapped by the United States, and of the third and fourth of the ships to be scrapped by the United Kingdom, the said periods shall be 18 and 30 months, respectively, from the coming into force of the present treaty.

America went out and sunk hers when she made an agreement to do it, but this treaty is arranged so that nations can either sink them or not. Listen to this:

These ships shall be reduced to the condition prescribed in section 5 of annex 2 to part 2 of the present treaty.

There is rarely a section which does not refer to at least three or four other sections and subsections.

The work of reducing these vessels to the required condition—

How can you scrap a ship except by sending it to the bottom of the sea? If you leave it intact, with the armor taken off, or with the guns taken off, it would be a very simple matter to put them back, and when you get into a war and one nation is fighting for its life that can be done. Listen to this:

Not within six months, but within six months of the expiration of the above period, 24 months and 30 months, and then six months additional.

Any of these ships which are not retained for training purposes—

Of course, they can retain them all for training purposes, apparently—

shall be rendered unfit for warlike service.

It is very easy to render a ship unfit for warlike service. It may be rendered unfit, I imagine, in a day, and probably not take many days to put it back into condition for warlike service.

Mr. REED. Mr. President—

The PRESIDING OFFICER (Mr. COUZENS in the chair). Does the Senator from Tennessee yield to the Senator from Pennsylvania?

Mr. McKELLAR. I yield.

Mr. REED. The Senator will find that in the annex to the treaty the naval experts of the countries have provided conclusive methods of rendering them unfit for warlike service.

Mr. McKELLAR. I read that language, but it is so involved I could not understand what it meant. Perhaps our naval experts understand it. I have great faith in them. I have never found any of them who knew anything about the sinking of the ships of other nations and, so far as I know, the United States is the only country that has ever sunk a ship under any of these conference treaties, so far as the public prints have shown.

2. Subject to any disposal of capital ships which might be necessitated, in accordance with the Washington treaty, by the building by France or Italy of the replacement tonnage referred to in article 1 of the present treaty, all existing capital ships mentioned in chapter 2, part 3, section 2, of the Washington treaty and not designated above to be disposed of may be retained during the term of the present treaty.

What is the use of all those words and references and cross references to this contract and that contract, to this section and to that section, to this article and to that article? When we want to do something, why not do it directly? There is some reason for that method. The same reason exists for it that existed in 1922, when we learned six months after the treaty was signed that we had 13 great battleships which could not shoot as far as any of the 22 British battleships, and we wanted simply to elevate the muzzles of our guns on those ships to make them as nearly equal as possible to the basis agreed upon in the contract. Great Britain came back, however, and protested, mentioning several of these complicated clauses and showing that we could not change side arms and that we could not change the mechanism in which the guns were placed. The people who prepared this treaty knew what they were doing when they prepared it.

3. The right of replacement is not lost by delay in laying down replacement tonnage, and the old vessel may be retained until replaced even though due for scrapping under chapter 2, part 3, section 2, of the Washington treaty.

ARTICLE 3

1. For the purposes of the Washington treaty, the definition of an aircraft carrier given in chapter 2, part 4, of the said treaty is hereby replaced by the following definition:

The expression "aircraft carrier" includes any surface vessel of war, whatever its displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

That is about the first article I have reached that contains any reasonable meaning. The President has said that we must

take this treaty according to its entirety as it is within itself and pass upon it. It is impossible to do that. It refers to so many other provisions of treaties that we are obliged to go outside of it. We are obliged to go to other documents. We are referred in it to other documents.

Article 4 relates to aircraft carriers. They are unimportant, but even as unimportant as an aircraft carrier is, just listen to the provisions of article 5:

ARTICLE 5

An aircraft carrier must not be designed and constructed for carrying a more powerful armament than that authorized by article 9 or article 10 of the Washington treaty, or by article 4 of the present treaty, as the case may be.

Wherever in the said articles 9 and 10 the caliber of 6 inches (152 mm.) is mentioned, the caliber of 6.1 inches (155 mm.) is substituted therefor.

PART II

ARTICLE 6

1. The rules for determining standard displacement prescribed in chapter 2, part 4, of the Washington treaty, shall apply to all surface vessels of war of each of the high contracting parties.

Then follow an infinite number of exceptions to what are called war vessels. As I understand it, it provides in substance that the vessels of Great Britain, which has, I believe, 130 vessels of the merchantmen class which she could turn into vessels of war and arm with 6-inch guns almost overnight—certainly in three or four nights—are excepted from the treaty.

I digress long enough to say that a great British statesman, Commander Kenworthy, as I remember, said in Parliament less than six weeks ago, discussing this very treaty, that if every battleship were sunk, if every cruiser were sunk, if every submarine were sunk, if every destroyer were sunk, if every aircraft carrier were sunk, Great Britain would have an overwhelming preponderance of naval power due to merchant vessels which could be armed almost overnight. That is true. It is absolutely true. Any reduction brings the same result in battleships. Every time we get a reduction in the number of battleships, as in this treaty and in the 1922 treaty, the disparity between our battleships and those of Great Britain is made that much greater. This treaty provides for it, just as the 1922 treaty provided for it.

Mr. President, I shall not go into a discussion of all these articles. I have read enough to show how the treaty was made, how involved it is, how necessary explanations are. Why the necessity for all these indirections? Why could not these gentlemen over there have reached an agreement for parity? When Mr. MacDonald was over here he told the American people that they were "entitled to parity in full measure and running over." If he wanted to grant that kind of parity, why did he not do it? Why all this roundabout language? Why all these involved statements? Why all these references to other agreements? Why could not they have stated the measurements in tons and let each nation within that limitation build the kind of ships it thought necessary? That is the only kind of parity that should have been obtained. That is the only kind of parity that is worth having.

Mr. President, I come next to a discussion of what the President said as to the treaty being the only alternative; that it is either this treaty or no treaty. For the time being, yes; but what is America to lose by not agreeing to the treaty? She will be in infinitely stronger position to get equality next year and the year after. The 1922 agreement contains a specific provision that there shall be a further conference in 1931. I want to read that provision because it is very important. We have an agreement when this conference shall be held. I read from Article XXI of the treaty of 1922:

In view of possible technical and scientific development the United States, after consultation with the other contracting powers, shall arrange for a conference of all the contracting powers which shall convene as soon as possible after the expiration of eight years from the coming into force of the present treaty to consider what changes, if any, in the treaty may be necessary to meet such developments.

Remember that the treaty of 1922, according to its advocates, was absolutely to remove the danger of war. It was to bring about equality, to bring about the 5-5-3 ratio. It was to reduce taxation. It was to reduce naval expenditures. It was to bring about a better feeling—or, according to Mr. Harding, a "better understanding." But the ink was hardly dry on the signatures when Great Britain was endeavoring to have another conference to change the terms of that treaty. What was the matter? She had already built the *Rodney* and the *Nelson*. She heard that America was going to build some large

battleships, as large as she had. She heard that America was laying down 8 or 10 of these larger cruiser ships. She had but 19. She wanted to stop America's building program, so the conference of 1927 at Geneva was called. That program would have been carried through then but for the canny patriotism of Calvin Coolidge, who did not believe in sacrificing the rights of America just to get a treaty of some kind; or a treaty of any kind. He was unwilling to sacrifice the rights of the United States simply to get a treaty, and so that treaty was not accepted.

Why this indecent haste, as the Senator from New Hampshire [Mr. MOSES] said in referring to the haste in which it is to be ratified? Why this indecent haste to have conferences? We had one in 1927 and another one in 1930, when our contract provided that we should have one in 1931. We would have been in an infinitely better position in 1931 than we are this year.

I listened to the explanation of the Senator from Pennsylvania [Mr. REED] and felt sorry that the American delegates were in such a hopeless position in the conference. They had nothing upon which to base any demands. It is true we had a tremendous superiority of destroyers. It is true we had a tremendous superiority in submarines. But they gave all that up without any consideration. It is true we had a right to build two battleships of the *Rodney* and *Nelson* class, but they gave that up without any consideration. What a positive advantage Great Britain had when it came to cruisers! Great Britain had 39 of one class and 19 of another class, while the United States had only 13 built and building, and therefore our delegates had to take what they could get. We ought never to have gone into a conference under such conditions as those. We ought not to put our commissioners in any such position as that. We ought not to have sent them abroad with our Navy in that condition.

Mr. President, I come now to one of the most curious of all questions that has arisen with reference to the treaty. Senators will remember that in 1929, I think in January or February of that year, Congress had before it a cruiser bill. We provided for the construction of five light cruisers to cost \$17,000,000 each. Those are five of the cruisers in question. The Senator from Idaho [Mr. BORAH], when that bill came up in the Senate, offered an amendment.

The Senator from Montana [Mr. WALSH] offered an amendment to that amendment, and his amendment to the amendment was adopted. The amendment of the Senator from Idaho as amended by the amendment of the Senator from Montana, or a substitute agreed upon by all, became the law of the land on February 13, 1929. I read:

SEC. 5. (1) That Congress favors a treaty or treaties with all the principal maritime nations regulating the conduct of belligerents and neutrals in war at sea, including the inviolability of private property thereon.

(2) That such treaties be negotiated, if practically possible, prior to the meeting of the conference on the limitation of armament in 1931.

The "limitation of armament in 1931" is that limitation which we provided for in the 1922 treaty. So, the Congress, on motion of the Senator from Idaho [Mr. BORAH], one of the proponents of the pending treaty, enacted a law instructing our commissioners at a conference to be called before 1931—and of course it referred to a conference to be held prior to the recent London conference, because everyone was talking about a conference that probably would be called this year or last—to negotiate such treaties, if practically possible, prior to the meeting of the conference on limitation of armaments in 1931.

Mr. President, what happened? Did our commissioners obey that law? Did our President obey that law? That is the law of the land now. It directed the President and his commissioners to bring about, if possible, the freedom of the seas. Did they do it? I will read from the RECORD the speech of Commander Kenworthy, who, as I understand, was one of the British commissioners. I will inquire of the Senator from Pennsylvania if I am correct in that statement?

Mr. REED. No, Mr. President; Commander Kenworthy was not a delegate to the conference; he is a member of the British House of Commons.

Mr. McKELLAR. He is a member of Parliament.

Commander Kenworthy made a speech on the 15th of May in regard to the freedom of the seas. I quote from his remarks at that time. He said:

I regret that an arrangement was come to between the British and American delegates to prevent any discussion of what is known as the freedom of the seas.

Bear in mind, Senators, that we passed a law unanimously in this body directing our commissioners to bring about, if possible,

at this conference the freedom of the seas, and here is the statement of Commander Kenworthy:

I regret that an arrangement was come to between the British and American delegates to prevent any discussion of what is known as the freedom of the seas.

Mr. HOLFORD KNIGHT. What authority is there for that view?

Lieut. Commander KENWORTHY. They came to the decision not to discuss it. I am not giving away any secrets. The American delegates would not allow us to discuss it and there was a mutual understanding that this was too dangerous a topic to be discussed at the moment.

I wish to read a little farther from the statement of Commander Kenworthy.

Mr. WALSH of Montana. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Montana?

Mr. McKELLAR. I yield.

Mr. WALSH of Montana. Does the Senator understand that the statement of Commander Kenworthy implies that the British Government wanted the subject discussed?

Mr. McKELLAR. I do.

Mr. WALSH of Montana. Has the Senator any information to that effect?

Mr. McKELLAR. Yes, sir. I have the opinion of Commander Kenworthy, taken from the record of the British Parliament, an official document.

Mr. WALSH of Montana. Well, what did he say?

Mr. McKELLAR. I am reading from his remarks. He said:

I regret that an arrangement was come to between the British and American delegates to prevent any discussion of what is known as the freedom of the seas.

Mr. WALSH of Montana. That does not cover the point at all. The question I asked the Senator was, Did the British delegation want to discuss that subject?

Mr. McKELLAR. They did.

Mr. WALSH of Montana. Has the Senator any information that they wanted to discuss it?

Mr. McKELLAR. I will read what the Senator from Pennsylvania said about it.

Mr. WALSH of Montana. I heard the statement of the Senator from Pennsylvania.

Mr. McKELLAR. The Senator did not hear it accurately evidently, because I am sure when he hears the admission the Senator from Pennsylvania made, there can not be any doubt on the subject.

Mr. WALSH of Montana. As I have said, I heard the Senator from Pennsylvania.

Mr. McKELLAR. I want to read from his remarks at this point.

Mr. WALSH of Montana. I want to say that I am very much interested in this question, because I inquired into it quite extensively at one time; and it would be quite a surprise to me if the British exhibited any desire to discuss the subject.

Mr. McKELLAR. I know the Senator has inquired into the subject, and I expect to quote from him in a few moments. The Senator not only has inquired into the subject, but he made a very eloquent speech in this body in January, a year ago, in favor of directing our commissioners to secure, if possible, a treaty provision as to the freedom of the seas. It appears, however, that our commissioners paid no attention to the law which was enacted.

Mr. WALSH of Montana. I agree to that; but it is altogether aside, of course, from the question. The question was, Did the British delegation want to discuss that subject?

Mr. McKELLAR. Commander Kenworthy said he was sorry that they had not done so. Now, listen to this. I asked this question of the Senator from Pennsylvania:

In view of the fact that one of the reasons why we went to war with Germany was her taking away from us the freedom of the seas, I am wondering what reason the American delegates had for not allowing the British delegates even to discuss freedom of the seas?

Mr. REED. Because, in the first place, we thought if we ever got launched into that subject we would never get through.

Mr. WALSH of Montana. I understood perfectly well that was the position taken by the Senator from Pennsylvania. I do not want to engage in any discussion with the Senator from Tennessee on that topic; I simply rose to inquire, for my own information, as to whether the British had come to that view of it, because, in the course of some remarks I made in the Senate, I called attention to an opinion developing in Great Britain contrary to that heretofore entertained, looking toward such an arrangement; and I wanted to learn from the Senator if he had some information about the matter, and as to how far that opinion had progressed and whether the British delegates did want to take that question up and discuss it.

Mr. REED. Mr. President, will the Senator from Tennessee yield to me?

Mr. McKELLAR. I yield to the Senator from Pennsylvania.

Mr. REED. The British delegates did not show any more disposition to take that question up than did the American delegates.

Mr. WALSH of Montana. That is what I supposed, of course.

Mr. McKELLAR. The Senator from Pennsylvania says that the British delegates did not show any more disposition than did the American delegates. The American delegates, however, according to the admission of the Senator from Pennsylvania, refused to take it up. Can the British delegates be blamed for refusing to take it up when the American delegates, who had been instructed by law to do it, refused to consider the question?

Mr. WALSH of Montana. Bear in mind, I am not blaming them at all nor am I blaming anybody. I was simply endeavoring to ascertain what the fact was.

Mr. McKELLAR. It is stated right here, if the Senator will permit me to read just a little further.

Mr. WALSH of Montana. Very well.

Mr. McKELLAR. The Senator from Pennsylvania [Mr. REED] said:

Because, in the first place—

Here is the reason he gave for refusing to discuss the subject. I asked the Senator from Pennsylvania this question:

In view of the fact that one of the reasons why we went to war with Germany was her taking away from us the freedom of the seas, I am wondering what reason the American delegates had for not allowing the British delegates even to discuss freedom of the seas?

The Senator from Pennsylvania replied:

Because, in the first place, we thought if we ever got launched into that subject we would never get through; we would have been in London yet if we had entered into a discussion of that subject.

The Senator's knowledge of history must have taught him that our view of the doctrine of the freedom of the seas depends on whether we are doing the blockading or whether we are being blockaded. The views we asserted during the Civil War were far different from the views we asserted when we were called upon to send goods past the British blockade in 1914. It is pretty hard to determine from American history just what the American policy is in such cases. Probably the law is made by the man with the biggest stick.

Mr. WALSH of Montana. Mr. President—

Mr. McKELLAR. I will ask the Senator to let me finish this quotation, and I will then yield to him. I continue to read from the RECORD:

Mr. McKELLAR. We went to war twice with Great Britain about it, in one of them directly—

That was in 1812—

and in the other indirectly, and then we went to war with Germany about freedom of the seas in 1917. But the thing that struck me with peculiarity was that Commander Kenworthy said the British delegates were perfectly willing to discuss it and he regretted that the American delegates prevented the discussion of that very important question. I was wondering how that happened.

Mr. REED. There were lots of things we prevented.

He is not denying it at all.

For example, there was a disposition to discuss permitted tonnage in airplane carriers. We prevented that. There was a disposition to limit the size of cruisers carrying 6-inch guns. We declined to consider that. There were a number of things we prevented.

Mr. McKELLAR. As I understand the Senator, then, Commander Kenworthy's statement is correct that the American delegates absolutely prevented any discussion of the subject of freedom of the seas at the conference?

Now listen to this:

Mr. REED. I do not know that we were alone in preventing it, but that was our position. We did not want to mix that question with any other.

Mr. WALSH of Montana. I understood the Senator perfectly well, and I take no issue on that point; but that is altogether aside from the question repeated in the interrogation to the Senator from Pennsylvania and repeated now, that the United States delegation prevented the British delegation from discussing the subject. I inquire simply whether the British delegation exhibited any desire to discuss that subject?

Mr. McKELLAR. I do not know; I was not present. The Senator from Pennsylvania can answer the question and I will yield to him to say whether the British exhibited any such desire. I do not know. All I know is that the Senator from Pennsylvania, in his usual frank manner stated, without equiv-

cation, that the American delegation prevented a discussion of the subject, and gave as the reason why that they would have been there yet if they had opened it up.

Mr. WALSH of Montana. And he has just said equally frankly that the British delegation exhibited no more desire than did the American delegation to discuss the subject.

Mr. McKELLAR. The American delegation having prevented its discussion, I do not see that there is any reason why the British delegation should have been inclined to discuss it.

Mr. WALSH of Montana. I rose on this occasion merely to say that I thought when the statement was made by the Senator from Pennsylvania the other day that we had changed our attitude with respect to the freedom of the seas, in the Civil War, advocating a policy contrary to that for which we stood in the war of 1812—

Mr. McKELLAR. I differ with the Senator from Pennsylvania about that.

Mr. WALSH of Montana. I am not quite able to agree—

Mr. McKELLAR. So far as I am concerned—

Mr. WALSH of Montana. Will the Senator allow me to finish the sentence?

Mr. McKELLAR. Yes.

Mr. WALSH of Montana. I thought that that statement at the time ought not to go unchallenged. I took occasion some time ago to review the principles laid down by the Supreme Court in relation to blockade and related questions during the Civil War, and I demonstrated, at least to my own satisfaction, that there was no new development there at all, and that all decisions of the Supreme Court of the United States in relation to continuous voyage and all that kind of thing were based upon indubitable decisions of prize courts of Great Britain.

Mr. REED. Mr. President, will the Senator tell us when he made that statement?

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Pennsylvania?

Mr. McKELLAR. I yield to the Senator from Pennsylvania.

Mr. REED. I did not have the advantage of hearing the Senator from Montana speak, and I would be interested to read his remarks.

Mr. WALSH of Montana. I pointed out in the course of remarks made here in the Senate on one occasion that the decisions of the Supreme Court in all those cases that are supposed to announce a new doctrine with reference to blockade are founded upon direct decisions of the courts of Great Britain.

Mr. REED. Can the Senator tell me, approximately, when his remarks were made?

Mr. WALSH of Montana. I can not do so now, but I will be glad to furnish the Senator the information later.

Mr. REED. I will be interested to read the Senator's remarks.

Mr. McKELLAR. Mr. President, I hope the Senator will again put his statement in the Record. I want to say that I have not examined the question with care recently, but some time ago I had occasion to go into the matter. I have always been very much interested in it, because, to my mind, it is one of the most important questions which have arisen in the history of our country.

I agree with the statement made by the Senator from Idaho [Mr. BORAH] that the question of the freedom of the seas, so far as a peace measure is concerned, is infinitely more important than all the questions that have arisen about battleships or battle cruisers or submarines or destroyers or any other kind of war vessel. I wish to say further that my investigation disclosed that from the very earliest days of our history right on down—I do not think President Washington had anything to say about it, but from John Adams on down to WILLIAM E. BORAH and THOMAS J. WALSH—all American statesmen have agreed that the freedom of the seas was necessary as an international policy for the United States.

The reason for it is perfectly plain. We are not a marauding nation. We do not want the lands and property of other peoples. We do not want to make subject peoples of other peoples. Heaven knows we have one now, and I think the great majority of the American people want to give them their independence. We never have been a land-obtaining people. All that we want is peace with the world, and freedom to trade with them on the high seas as and when we need to do so, without molestation and without injury and without damage. So our statesmen through all the ages have upheld this doctrine; and I want to say to the Senator from Montana—and I am sorry the Senator from Idaho is not here—that I have read their arguments on this very subject, made a year and a half ago when this law was passed, and I never heard a better presentation of the subject of the freedom of the seas than was submitted by those two distinguished statesmen. I regret more than I can say that in this conference our delegates felt called

upon not to consider that question, although they were directed by law, unanimously passed so far as the Senate was concerned, to discuss it and to bring it about if possible. With the Senator from Montana and the Senator from Idaho believing, as they must believe, that the freedom of the seas is an infinitely more important measure of peace, prosperity, and happiness for the American people than any question about the limitation of cruisers, I do not understand how they can be willing to vote to ratify this treaty when our commissioners would not even discuss the law whose passage they had so splendidly secured.

I want to read here for just a moment.

One of the first things that the Senator from Idaho did was to quote from a speech by Thomas Jefferson. I stop here long enough to say that the more I investigate public questions that come before the Senate of the United States day by day as they arise here, many of them fundamental questions, the more I investigate as to the right and the wrong, as to the wisdom and justice of the policy, the more I realize that we can get more real information by going back to Thomas Jefferson than to any one of the other founders of this Republic. It is perfectly marvelous to note the grasp of his splendid intellect. It is perfectly marvelous to note the wonderful way he had of expressing himself on all public questions with which he undertook to deal. It is positively marvelous to note how many of these questions he discussed during his long and eventful public life. It is astounding, even to the student of public affairs in this country, to observe the marvelous grasp, the splendid knowledge, the sound common sense always displayed by Thomas Jefferson in dealing with all questions. Whether it was a question of education to which he was finally committed, whether it was a question of surveying—as in the township, range, and section system that he has given the newer States of this Union—whether it was foreign relations, whether it was a matter of music or art, or whatever he discussed, he always adorned that discussion with the greatest kind of intellectual superiority. So I do not wonder that the Senator from Idaho [Mr. BORAH], brilliant orator that he is, great thinker that he is, when he undertakes to make a speech on perhaps the most important subject before the American people, goes back to the very fountainhead of information in this country and quotes Mr. Jefferson, and I am going to take the liberty of quoting him in like manner.

Mr. Jefferson said over a hundred years ago:

Reason and usage have established that when two nations go to war, those who choose to live in peace retain their natural right to pursue their agricultural, manufacturing, and other ordinary vocations, to carry the produce of their industry for exchange to all nations, beligerent or neutral, as is usual.

It could not be better expressed. Why is it that the civilized world is willing to stand for a system under which, as soon as war is declared, some nation with a navy big enough to make her order effectual says, "All of the following products are contraband and can not be shipped upon the seas"?

In 1914, when the World War broke out, I remember being at a little town in Tennessee called Saulsbery. The day before the ruling price of cotton in that little town was 14 cents. That day, the day after Great Britain passed an order in council that cotton was contraband, cotton dropped to the price of 4 cents a pound and could not be sold even at that. I was offered 50 bales at 4 cents a pound and did not take it, and it could not be sold. It could not be sold at any price. Why? Because Great Britain had declared it contraband, and she had the power in her navy to make that order good.

What happened? Why, cotton was just removed from the seas of the world. No ship could carry it, because under the rules of war it was contraband; and so it was with wheat. So it was with rice. So it was with corn. So it was with bacon. So it was with every foodstuff. So it was with almost everything that men deal with in foreign commerce. So it is no wonder that the Senator from Idaho made this wonderful speech in favor of the freedom of the seas.

Why is it that American commerce should be stopped because Great Britain gets into a war with France? Why is it that any nation, neutral, peaceful, happy, and at peace with all the world, perhaps with the two warring nations, should have its commerce interfered with? Yet as soon as those nations go to war, all of these great products that go into international commerce are at once put under a ban, and can not travel on the high seas without fear of being destroyed or taken and used by one of the belligerents, leaving the neutral to make a claim after the war.

We are just blindly shutting our eyes to our own interests when there is not some sort of an agreement on that subject.

Who else dealt with this subject? As I said, all the statesmen, those of the middle ages of our country—if I may use that

expression—men of the class of Clay, Calhoun, and Webster, the Adamsses, Jackson, all of the great statesmen throughout the history of our country have stood for the freedom of the seas. Our Supreme Court has stood for it. All of our high authorities have advocated it; and when it came down to Wilson, you will remember that he made his 14 points in January or February, 1917, and the second of these points was—listen to this—

Absolute freedom of navigation upon seas outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for enforcement of international covenants.

That position was taken in connection with the League of Nations. It did not go through; but surely the law that we passed in 1929 ought to be carried out; and the next conference, any kind of a conference, should provide some method of insuring the freedom of the seas.

Mr. President, in this connection I want to say that I have prepared, and will introduce either to-day or to-morrow, an amendment to this treaty, or a reservation—whichever you may call it—providing for an agreement for the freedom of the seas, providing for just what Thomas Jefferson stood for, just what Woodrow Wilson stood for, just what THOMAS J. WALSH and WILLIAM E. BORAH stood for, just what the Senate of the United States by unanimous vote stood for. We voted for it a year and a half ago. Why is it not as good to-day as it was then? We thought it was right then. We have a chance to get it. The Senate has a right to amend this treaty. The Senate has a right to put a reservation on this treaty. Why is it that it was a good thing then and a bad thing now?

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CARAWAY in the chair). Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. McKELLAR. I do.

Mr. WALSH of Massachusetts. Does the Senator think a real program of naval disarmament can ever be adopted by the countries of the world unless some agreement is reached with reference to freedom of the seas?

Mr. McKELLAR. The Senator is absolutely right about it. We can have all the conferences we want; we can make all the references we desire to article B, section C, subsection (2), and we shall never secure peace in its real and enduring form until some effectual and successful effort is made to secure the freedom of the seas.

In this connection, Mr. President, I have prepared a rough draft, which I am now going to read—it is very short—of a reservation that I am going to offer, either to-day or to-morrow:

Whereas section 5 of the act of Congress approved February 13, 1929, provides as follows:

First. That the Congress favors the restatement and recodification of the rules of law governing the conduct of belligerents and neutrals in war at sea;

Second. That such restatement and recodification should be brought about, if practically possible, prior to the meeting of the conference on the limitation of armaments in 1931; and

Whereas the American delegates to the London conference failed to carry out this express direction to them by the Congress to consider the question of the freedom of the seas at said conference, as shown by a statement of Senator DAVID A. REED, on page 107 of the CONGRESSIONAL RECORD of July 11, 1930: Now, therefore, be it

Resolved by the Senate, That as a condition to the ratification of the foregoing treaty by the United States it is understood and agreed that hereafter the high contracting parties in both times of peace and of war will respect the rights of all neutrals to the absolute freedom of the seas outside of territorial waters; and it is further expressly understood and agreed that each and all of the said high contracting parties will guarantee among themselves, and as far as they can to other nations, the natural right of all neutral nations and their nationals to ship their goods, wares, and merchandise on the high seas, in times of peace and war, to and from all nations, belligerents or neutrals, without interference or molestation or injury; and before this ratification becomes effective this reservation will be agreed to in writing by each of the other signatories to the treaty.

Mr. President, adopt that amendment and you will provide for the freedom of the seas. You will take the greatest step, according to the Senator from Idaho [Mr. BORAH], and, as I believe, according to the Senator from Montana [Mr. WALSH], his associate in securing the passage of that act of January a year ago, that was ever taken in any conference on earth.

I want to say right here and now, adopt that reservation, and I, although I have other reservations, will support the treaty. We ought to attach that reservation to the treaty because of the unanimous passage by this body of the law of 1929 to which I have referred. We ought to do it in defense of

American rights, in defense of peaceful trade and commerce all over the world.

The idea of a belligerent nation assuming the right, because war is declared, to mark off the seas and say to all the other nations, "This is my part of the seas. I hold it by my power. Send no ships across it, or I will submarine them or otherwise destroy them."

It is not right, it is not fair or just, it is indefensible, and there never was a better opportunity than right now to secure freedom of the seas.

Mr. President, I want to quote the senior Senator from Idaho [Mr. BORAH] right here. There is not a man in the world who could express the thing any more accurately or any more eloquently than did the distinguished Senator from Idaho on January 24, 1920. I am not going to quote all his speech, but I shall quote a part of it. I am sorry he is not here. The Senator from Idaho said:

I have said that I do not think that is a controlling proposition with Great Britain at all. She understands what our program is; she knows perfectly well that we can build all the cruisers that are necessary; but we have made no proposition to Great Britain as to the freedom of the seas; we have not insisted upon any understanding with her; we have avoided the question; we shunted it aside at the disarmament conference; we avoided it at Geneva; we refused to discuss it; and Great Britain has the absolute control of the seas by reason of our acquiescence. Now, when we say that this is the sine qua non to our ceasing to build ships in order to protect our interests, it becomes then a proposition which she must consider.

Again said the Senator from Idaho just a year and a half ago:

I am frank to say that I am much more concerned with the question of having an understanding with Great Britain as to the freedom of the seas than I am with reference to 10 or 15 cruisers. That is a secondary matter with me. I would not want to cut this bill down below 10 cruisers at most; but as to that there is a question of judgment.

He spoke almost prophetically when he described what our delegates had been doing and what they were likely to do. Listen to this:

We have not insisted upon any understanding with her—

Meaning Great Britain—

We have avoided the question; we shunted it aside at the disarmament conference—

That refers to the disarmament conference of 1922—

We avoided it at Geneva; we refused to discuss it; and Great Britain has the absolute control of the seas by reason of our acquiescence.

That is just what the Senator from Pennsylvania [Mr. REED] admitted here a day or two ago was done at the last conference. They refused to discuss it; they shunted it aside; they avoided it at London; they refused to discuss it at London; and as a result, Great Britain, by reason of our callousness, as was said by the Senator from Idaho, has the absolute control of the seas, control of the seas in every sense, control in battleships—there is no parity there; control in cruisers, overwhelming control there; control in other classes of vessels; control in merchant ships; control in the right to declare contraband and enforce it; control in naval bases.

America has to have large ships, 10,000-ton 8-inch-gun ships, because they have to have a large cruising radius. We agreed ourselves out of any naval bases in 1922. But has England done so? I heard the Senator from Pennsylvania here the other day describe what an awful thing it would have been if he had proposed to Japan the fortification of or the establishment of a naval base in the Aleutian Islands. I understand that there is one of the greatest natural bases there in all the world. It belongs to us. It is out in the middle of the Pacific Ocean. We have great colonies out in the ocean. We have colonies nearer than that, in Hawaii. We have the Aleutian Islands. There is no reason in the world, if other nations are to have naval bases, why we can not have a naval base there. But what did the Senator from Pennsylvania say? He said, "We could not even mention it to Japan; it would have been an affront to her; it would be a menace to her. We could not bring ourselves to suggest such a thing as a naval base in the Aleutian Islands."

Yet what do we find about Great Britain? Great Britain maintains naval bases, not around our island possessions alone but she has naval bases all around the continent of the United States! She has them in Nova Scotia, she has one in Bermuda, she has two in the West Indies, confronting the great canal we have there, and one we are going to build. She has them in the Pacific Ocean. The Senator from Pennsylvania forgot all about them being a menace to America.

What reason has Great Britain for maintaining those bases? Why did she think of it? What does she expect to do to us by

maintaining those naval bases? What is the reason for it? We are kinfolk, we trade together, we are bound by ties of friendship of over a hundred years' standing. Why should she do it?

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. SHIPSTEAD. At these naval bases ammunition and 6-inch guns can be stored, and in the event of war Great Britain can turn 1,500 vessels into swift cruisers inside of a week.

Mr. McKELLAR. Of course.

Mr. SHIPSTEAD. In view of that, does the Senator think that any nation would agree to this amendment providing for freedom of the seas?

Mr. McKELLAR. I do not know. We ought to submit it. We never have submitted it yet. Even President Wilson backed down at Versailles. He did not submit it. We instruct our commissioners, and they come back and tell us they did not submit it; that they prevented it being discussed. Whether we can do it or not I do not know. I can not for the life of me see how a naval base in the Aleutian Islands can be a menace to Japan and a naval base at Bermuda not a menace to the United States.

Mr. SHIPSTEAD. Mr. President, of course if the nations of the world would agree to the amendment the Senator proposes, we could cut our navies by just 95 per cent.

Mr. McKELLAR. Of course.

Mr. SHIPSTEAD. And there never would be another war; no nation would start a war.

Mr. McKELLAR. Each nation could have a very small navy. We could disarm the world. One of the principal reasons for having a great navy is to protect our trade and commerce. I do not know whether the Senator was here a few moments ago when I gave the illustration about cotton in 1914. Suppose America had had a great navy at that time, one equal to that of Great Britain. In the first place, Great Britain never would have passed an order in council declaring cotton and wheat contraband. In the next place, if she had done so, the American Navy would have had the power to convoy our cotton and our wheat anywhere in the world we desired to send it.

Mr. SHIPSTEAD. Mr. President, will the Senator yield for just one more interruption?

Mr. McKELLAR. I yield.

Mr. SHIPSTEAD. I do not think it was the weakness of our Navy which made it possible for England to do that; I think it was the weakness of our statesmanship.

Mr. McKELLAR. We did not have the power. We all believe in peace, but if other nations keep great guns, it is the duty of America to do likewise. We do not want to become a supine nation. We do not want to become a nation of molly-coddles. You can not make them out of Americans. If some administrations sink our navies and destroy the national defense of our country and the defense of our trade and commerce, other administrations are coming along which are going to have the courage to build them for our proper defense.

Think of Roosevelt ever entering into such an agreement as that of the 1922 conference, or of the 1930 conference. He would not have stood for it for a moment. Yet he was not a warlike man. He did more in the interest of peace than any other man who lived in his day. But he did not believe in disarming. He did not believe in letting another nation euchre us into sinking our Navy while they retained theirs.

Mr. President, I want to commend this remark of the Senator from Idaho [Mr. BORAH] to the Senate and to the country. It was said at a time when it meant something. It was said at a time when we were discussing the very cruisers which the naval conference discussed at London; but there was not a word for the freedom of the seas, not a word about naval bases uttered in that conference.

I want to go back to naval bases just a moment. I can not understand that political philosophy which will say that if we build a naval base in the Aleutian Islands it is a menace to Japan, and that Great Britain maintaining a naval base at our very doors, in Bermuda, is but an evidence of friendship and not a menace. I can not understand it. It may be because my thinking apparatus is not accurate, I do not know, but I do not understand that kind of argument, and I do not understand that philosophy, and, so far as my vote is concerned, it is going to be cast on the theory that if it is a menace for us to build a naval base near another country, it is a menace for another country to build and maintain a naval base near us.

It is said these other naval bases are harmless, that they are not of any value to Great Britain. The idea! If worst came to worst, as the Senator from Minnesota said a few moments ago, Great Britain could have all kinds of merchantmen carrying 6-inch guns from stores carried at these naval bases, and used for the purpose of destroying our commerce on the seas.

Mr. President, America has just reached this year the highest place in her history in her foreign commerce. I remember that the old argument used to be, "Oh, well, Great Britain, by reason of her being an island nation, by reason of her commerce on the seas, which is infinitely larger than that of many other nations put together, is entitled to have the greatest navy."

O, Mr. President, America's commerce on the high seas is as great as that of Great Britain now. It is absolutely necessary to the prosperity and happiness of our people that that commerce be maintained. We make more than we can consume, we have to find markets for our surplus products, we have to ship it abroad; it ought to go abroad every day, it must go regularly in order for us to be prosperous. Whenever it is interfered with America is injured. How are we going to maintain it? Are we going to maintain it when other nations declare it contraband whenever a war arises? We have to have a navy to protect, just as Great Britain has to have a navy to protect her great commerce. If it is necessary for Great Britain to have a great navy to protect \$10,000,000,000 of foreign commerce every year, it is equally necessary for America to have a similar great navy to protect \$10,000,000,000 of commerce a year. In round numbers those are about the figures. Great Britain has perhaps a few dollars more, but in round figures each nation has about \$10,000,000,000 of foreign commerce. America is going forward every year, going higher and higher, and I pray to heaven that it will continue to go higher and higher as the years go by. But, if that is to happen, we must protect that commerce.

We can not allow our ships to be towed into foreign ports in time of war. We can not allow depredations to be committed upon our commerce. We can not allow our commerce to be destroyed. We can not allow our commerce to be put into prize courts.

Mr. President, if the United States only understood her wonderful opportunities in trade and commerce, if she only understood as England understands that it is absolutely necessary to protect that trade and commerce in the different parts of the world, then there would be no question about our defeating this pusillanimous little treaty, if I may so term it, which has been brought back here, a treaty which was intended to be a treaty of five great powers, but which comes back here as the treaty of three, a treaty which is unfair in its provisions, unjust to the United States, subversive of our interests, interfering with our national defense, telling us what kind of ships we may build, telling us what kind of guns we may shoot in the event of trouble. It seems to me clear that we ought to defeat the treaty.

Mr. President, I have not finished my speech, but I am going to yield the floor at this point and continue it at a later time. I suggest the absence of a quorum.

THE VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Hale	Metcalf	Shortridge
Black	Harris	Norris	Smoot
Blaine	Hastings	Oddie	Steuwer
Borah	Hoebert	Overman	Stephens
Capper	Howell	Patterson	Swanson
Caraway	Johnson	Phipps	Thomas, Idaho
Copeland	Jones	Pine	Townsend
Culberson	Kean	Pittman	Trammell
Dale	Keyes	Reed	Vandenberg
Fess	King	Robinson, Ark.	Walcott
George	La Follette	Robinson, Ind.	Walsh, Mass.
Gillett	McCulloch	Robison, Ky.	Walsh, Mont.
Glenn	McKellar	Schall	Watson
Goldsbrough	McMaster	Sheppard	
Greene	McNary	Shipstead	

THE VICE PRESIDENT. Fifty-eight Senators have answered to their names. A quorum is present.

INVESTIGATION BY TARIFF COMMISSION—LUMBER

Mr. McNARY. Mr. President, yesterday I submitted a resolution which was ordered to lie over a day under the rule at the suggestion of the Senator from Arkansas [Mr. ROBINSON]. That Senator has told me that he would have no objection whatsoever to the resolution to-day. I therefore ask unanimous consent at this time that it may be considered as in legislative session.

The Senate, by unanimous consent, proceeded to consider the resolution (S. Res. 321).

Mr. McNARY. At the suggestion of the Senator from Massachusetts [Mr. WALSH], I desire to modify the resolution by adding at the end of the resolution the words "produced in the Pacific Northwest States."

The resolution as modified was read and agreed to, as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for

the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Lumber and timber, if of fir, spruce, pine, hemlock, or larch, produced in the Pacific Northwest States.

SENATOR PINE'S ADDRESS ON BUSINESS CONDITIONS

Mr. PINE. Mr. President, I present and ask leave to have published in the RECORD an address delivered by me at a meeting of the Okmulgee Merchants' Association in Okmulgee, Okla., on the 9th instant.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the Okmulgee Daily Times, Okmulgee, Okla., Thursday, July 10, 1930]

BUSINESS SEEKS CONTROL OF UNITED STATES, SENATOR ASSERTS—URGENT NEED FOR REFORM VOICED BY OKMULGEE OIL MAN AND LAW-MAKER—THOUSANDS ATTEND MERCHANT MEETING

Thousands of persons attending the Okmulgee Independent Merchants' Association booster event at Sixth Street and Morton Avenue last night heard United States Senator W. B. PINE assail "growing centralization" of American industry and call for a movement to restore individual business.

The gathering, estimated variously from 5,000 to 10,000 persons, was the first local audience which Senator PINE has addressed since his return from the congressional session. He leaves to-day for Washington to attend the special session of the Senate for consideration of the naval treaty.

URGES DECENTRALIZATION

In his address Senator PINE said:

"Decentralization is now a national necessity. This excessive centralization of control of our industries and other transportation facilities is un-American, is based on a philosophy which is at war with the fundamental principles of our Constitution, and can not be tolerated by a free people. In America the citizen is the sovereign.

"We must choose between the sovereignty of the citizen and the monopoly; both can not exist at the same time. Our Constitution provides liberty; monopoly means control, the power to compel. Our people can not permit monopoly to exist, because to the extent it exists our Government is destroyed. There can be only one supreme power in the land. If it be government, it can not be monopoly and if it be monopoly it can not be government.

MONOPOLY IS INEFFICIENT

"In the interest of efficiency we have developed monopoly, and monopoly is woefully inefficient. It kills initiative; it stops progress. Necessity is the mother of invention, and monopoly removes, circumvents necessity. We have been taught and we have believed that big business was more efficient, but it is not true. It is more profitable because of its control of the supply; it is able to sell less goods for more money.

"In 1911 I went from New York to Chicago on the Twentieth Century Limited. It was an extra-fare train, ran in two or more sections, and the regular schedule was 18 hours. It was midwinter when I made the trip, and 20 hours were required, and they gave me back \$4 because the train was two hours late. That was 19 years ago, and to-day the regular schedule for the same train is 20 hours. In 1910 that railway was giving faster service than it is giving in 1930. In this particular no progress has been made in 20 years. During all that time it has been possible to give faster service, but it has not been done because railway transportation has been monopolized. When other forms of transportation compel them by competition the railway companies will redesign their equipment and give faster and better service.

SEEK ONLY MONEY

"The highest intelligence in the railway business is not utilized in developing cheaper, faster, and better transportation but it is utilized, and utilized effectively, in securing more money for less transportation.

"In comparison it is well to consider the development made by the motor industry in the same 20 years. That industry has been dominated by a different philosophy—more goods for less money; competition has existed and wonderful progress has been made. Twenty years ago this industry was hardly known, to-day it is one of the greatest. That philosophy—more goods for less money—has placed a steering wheel in every man's hand, including women and children, and is taking the transportation business from the railways and is placing it on the highways. Competition is stimulating—monopoly is deadening.

OKLAHOMA'S INDUSTRIAL OPPORTUNITY

"Before organizing the Pine Glass Corporation and building the plant here, we made a nation-wide survey of the fruit-jar business. We found that it was practically monopolized and that this had been accomplished by buying out the independent manufacturers. Frequently very high prices had been paid for plants that were shut down. The monopoly had millions of dollars invested in nonproductive plants which were fast becoming obsolete and on which insurance and taxes had to be paid. Practically none of the plants were properly located and the

machinery in all of them was more or less obsolete. Men who rendered no service were paid high salaries in order to keep them out of the business. In this way much of the investment was nonproductive and much of the operating expense was nonproductive and the depreciation was twice what it should have been. This business succeeded in spite of this waste, waste, waste, because it was a monopoly and controlled the output and could make the consumers pay a profit regardless of the cost.

"We decided that a little, modern, well-financed, well-located, owner-managed plant, producing quality products at Okmulgee would be a success, and it was. All the monopolized industries offer such opportunities to the citizens of this State. Monopoly is woefully inefficient.

"Natural conditions, sound business, and economic law require that we develop a number of great economic units in the Nation. It is unsound, it is unsafe, it is unwise to have all our eggs in one basket. Each unit should produce, process, transport, market, and consume in so far as possible within its own boundaries. The facilities, the agencies of production, processing, transporting, and marketing should be owned, operated, and controlled by the local people. Each unit should be as complete, independent, self-supporting, and self-sufficient as natural conditions will permit.

"Lincoln said: 'If we buy from abroad we have the goods and they have the money, but if we buy at home, then we have both the goods and the money.' That is a terse statement of the controlling fundamental principle of prosperity. That principle was considered by the founders of this Government; it was woven into our Constitution, and it has been one of the most important factors in making this the greatest Nation in the world. Lincoln cut through the sham, the pretense, the fraud, and presented the controlling fundamentals in an understandable way. He understood the people and the needs of the people, and the people understood him. In the present crisis we of Oklahoma will do well to take counsel of him.

"Hon. Theodore Christianson, Governor of Minnesota, recently said: 'There has been a concentration of the agencies and means of production and distribution, hazardous to the Republic and destructive of the general welfare.'

"America was built by men of independence, of initiative, of courage, of a fine sense of individual responsibility. America was built by masters, not by servants.

"If America is going to be saved she will be saved, not by those who walking in the line of least resistance, become followers, but by those who, venturing forth, become the leaders of men.

"I do not believe that the movement toward concentration in this country can continue. I do not believe that public sentiment will permit it to continue."

"Mr. Decker, the great Northwest banker, recently said: 'We are getting tired of feeding the cow in Minnesota and having her milked in New York.' That is the great problem. We produce the wealth, but it is being drained out of the State, the wealth the Creator placed in Oklahoma is being used to build skyscrapers, universities, industrial plants, three billion dollar banks, etc., in the East and in foreign countries.

"If we applied the philosophy of Abraham Lincoln, they would be in Oklahoma. Those who control the facilities, the agencies used in processing, transporting, and marketing live in other States and are milking the Oklahoma cow. Chain stores, chain banks, chain farms, tenantry, nonresident ownership, and nonresident control will reduce Oklahoma to a state of vassalage. The governor of the greatest industrial State said that 60 organizations controlled 80 per cent of the Nation's business. When carried to its logical conclusion this centralization movement removes from the State all executives. If a man is an executive, he must reside in Chicago or New York. If he is unable to subordinate his mind, if he is unable or unwilling to take orders, they can not use him in Oklahoma. In such an economy there is no place for a real, independent, sovereign American. The idea is foreign to American soil, and if tolerated will subjugate the people of this State and will ultimately destroy the American Government. They want servants, the American is the captain of his own soul.

"In a speech at St. Paul, Minn., June 30, 1930, Congressman STRONG, of Kansas, said: 'If branch, chain, and group banking, and the concentration of moneys and credits generally is permitted to continue in the United States, at the present pace, and if mergers and consolidations in industry as a whole continue, we shall eventually find the middle class eliminated from the country.'

THE NEW ERA

"This Nation is now passing through an economic revolution. Control is now through economic law rather than civil law. The Government is not keeping pace with commercial development. Governmental functions are being exercised by those who have no obligation to serve the people and who are dominated by selfishness and greed. Dr. Nicholas Murray Butler, president of Columbia University, on September 1, 1929, made the following statements: 'Speaking in this place a year ago I suggested that one of the deep-lying forces now making history in the world is the increasing importance of economic theory and practice when contrasted with that political theory and practice whose interests have dominated the Western World through so many centuries.'

"The major fact which I wish to emphasize is that for a generation and more past the center of human interest has been moving from the point which it occupied for some 400 years to a new point which it bids fair to occupy for a time equally long. Put bluntly, the shift in the position of the center of gravity of human interest has been from politics to economics; from considerations that had to do with forms of government, with the establishment and the protection of individual liberty, to considerations that have to do with the production, distribution, and consumption of wealth. What is meant is that the important central and dominating position so long occupied by politics has been taken by economics. I understand Doctor Butler, he means to say that economic law is being substituted for civil law, and that politics, government, is not the supreme power of the land. The farm problem, the bank failures, the general depression, the chain stores are part of the same problem. It is the economic control and economic subjugation of our people that is causing the trouble.

"There is a war between big business and your Government—war for the mastery. It recently came to the surface in the contest between the Farm Board and the United States Chamber of Commerce. Always there has been war between the big, the strong, and the Government; that is what government is for—to restrain the strong, to protect the weak—and when the Government fails in this particular then there is no reason for its existence. Your inalienable right to life, liberty, and the pursuit of happiness is involved. The question now to be determined is, Shall the Government run big business or shall big business run the Government? I say to you that Doctor Butler is right in a practical way; big business is now running the Government. Tons of propaganda are sent out to destroy your confidence in your representatives and your Government. Those in charge of the economic machine have no obligation to serve the people, and, of course, the people suffer. We must develop the Government, make it function and control as contemplated by our Constitution; any other course leads to slavery.

"Recently Paul Warburg published a 2-volume work entitled 'The Federal Reserve System.' In the second paragraph of the introduction he states that many people think that Congress makes the laws, but that the Congress contributes about as much in making laws as a bookbinder does in making books. Then he writes 1,500 pages to show that he conceived, developed, and wrote the Federal reserve law more than any other man. He proves his case. He was born in Germany. He was educated in Germany. He got his theory of banking and his banking experience in Germany, France, and England, and he states that he wanted this country to have a central bank system and that he patterned our Federal reserve system after the European systems.

"The banking systems of Europe are complete failures. Under our system 6,000 banks, mostly country banks, have failed. In Europe the farmer is a peasant. Our banking system, modeled after the European systems, is making peasants of our American farmers.

"Warburg is an international banker and from his standpoint the reserve system is a complete success—the international bankers have made millions—but from the farmers' and small merchants' standpoint it is a complete failure. International bankers succeed even when governments fail and the people suffer. In fact, they are most successful during periods of great stress. It is self-evident that the people's laws should be written by the people's representatives.

"The time has come when you must quit trifling with your Government. Your all is at issue. Who are you going to send into this battle to do your fighting? When you are making the selection forget your partisanship and consider the needs of your business. You have been reading the propaganda and accepting ready-made ideas long enough. It is time for you to do your own thinking. Forget what the big man said or what you heard on the radio or what you saw in the paper. Start with the facts that confront you and think them through for yourself. You will arrive at a sound solution if you will permit no one to divert you. The wisdom of the Nation resides in the mature judgment of the people.

"Business is a great game, and your Government is supposed to make the rules. The rules have been against you and you have lost the game. In the making of the rules New York has had more and more able representatives and has given her representatives better support. Sometimes your representative does not know a rule from a handsaw and at other times he is in Panama or is deciding who is to sit at the head of the table.

"The solution of this problem is honest government—constitutional government—effective government. Elect respectable men and then respect them. You can elect a statesman or you can elect an office boy, but you can not find both in one individual; God never wrapped up both in one hide.

"If you elect office boys and rabbits, you are going to have a rabbit government and big business is going to run it."

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London April 22, 1930.

The VICE PRESIDENT laid before the Senate resolutions adopted at a meeting of the Epworth League Institute at Poughkeepsie, N. Y., favoring the prompt ratification of the pending London naval treaty, which were ordered to lie on the table.

Mr. McKELLAR submitted the following reservation intended to be proposed by him to the resolution advising and consenting to the ratification of the treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930, which was ordered to lie on the table and to be printed:

Whereas section 5 in an act of Congress approved on February 13, 1929, provides as follows:

"(1) That the Congress favors a restatement and recodification of the rules of law governing the conduct of belligerents and neutrals in war at sea;

"(2) That such restatement and recodification should be brought about, if practically possible, prior to the meeting of the conference on the limitation of armaments in 1931"; and

Whereas the American delegates to the London conference failed to carry out this express direction to them by the Congress to consider the question of the freedom of the seas at said conference as shown by the statement of Senator DAVID A. REED on page 107 of the CONGRESSIONAL RECORD of July 11, 1930: Now, therefore, be it

Resolved by the Senate, That as a condition to the ratification of the foregoing treaty by the United States, it is understood and agreed that hereafter the high contracting parties in both times of peace and of war will respect the rights of all neutrals to the absolute freedom of the seas outside of territorial waters; and it is further expressly understood and agreed that each and all of said high contracting parties will guarantee among themselves, and as far as they can to other nations, the neutral rights of all neutral nations and their nationals to ship their goods, wares, and merchandise on the high seas, in times of peace and of war, to and from all nations, belligerents or neutrals, without interference or molestation or injury, and before this ratification becomes effective this reservation will be agreed to in writing by each of the other signatories to said treaty.

Mr. McKELLAR submitted the following reservation intended to be proposed by him to the resolution advising and consenting to the ratification of the treaty for the limitation and reduction of naval armament signed at London on April 22, 1930, which was ordered to lie on the table and to be printed:

Whereas Great Britain and the United States are the two largest English-speaking nations; and

Whereas the United States was at one time a colony of Great Britain and secured its liberty by revolution after a long war; and

Whereas a second war was fought with Great Britain in 1812-1814; and

Whereas since the conclusion of peace in 1815 the two nations have been on the friendliest and most cordial terms; and

Whereas the two nations are not only tied together by racial and family ties and ties of kinship, but their business and commercial relations are so interwoven that a war between the two is unthinkable; and

Whereas the Dominion of Canada, a British dominion bordering more than 3,000 miles on the northern line of the United States, and the United States have set a good and peaceful example by erecting no forts or other warlike protection on either side of said border; and

Whereas it is conceded that the erection or maintenance of a naval base close to the territorial waters of a foreign nation is a menace or a threat to such nation near which such naval base is erected or maintained; and

Whereas many years ago Great Britain established a number of naval bases close to the territorial waters of the United States, several in the Atlantic and one in the Pacific; and

Whereas it is unthinkable that Great Britain would desire to continue the maintenance of these naval stations so close to the shores of her friends and kinspeople in the United States: Now, therefore, be it

Resolved by the Senate, That it is specifically understood and agreed in the ratification of this treaty that during the treaty period between the ratification hereof and the 31st of December, 1936, that Great Britain will, in the interest of peace and concord between the two nations, and as an assurance of the oft-repeated statement of many of her leading statesmen that war with the United States is unthinkable, dismantle and after said date of December 31, 1936, not maintain the following naval stations or bases contiguous to the territory of the United States: Halifax, Bermuda, Jamaica, Trinidad, and Esquimaux, and will not build others in the vicinity of said territorial waters, and that before this ratification becomes effective this reservation will be agreed to in writing by the Government of Great Britain.

The VICE PRESIDENT. The Senator from New York [Mr. COPELAND] is recognized.

Mr. PITTMAN rose.

Mr. COPELAND. Does the Senator from Nevada desire to address the Senate at this time?

Mr. PITTMAN. I have a few remarks that I want to submit on one particular branch of the subject, but if the Senator from New York desires to proceed I will wait until he concludes.

Mr. COPELAND. I am willing to wait until later in the day. I yield the floor.

The VICE PRESIDENT. The Senator from Nevada is recognized.

Mr. PITTMAN. Mr. President, at the present time it is my purpose to discuss solely constitutional and legal questions relating to the pending proposed reservation to the treaty offered by the Senator from Nebraska [Mr. NORMAN].

This reservation is intended to guard against the future setting up by any parties to the treaty of any undisclosed understandings or agreements relating to the subject matter of the treaty. This reservation is offered by reason of the fact that the Senate is not in the possession of all of the records attending the negotiation and execution of the treaty, the President having refused the request of the Senate for such records. I will have the entire proposed reservation printed at the end of these remarks.

There are two dangers common to all treaties.

First, undisclosed and collateral understandings and agreements that can at any future time be used to avoid or change the apparent purpose and effect of the treaty.

Second, ambiguities in the language of the treaty which may in the future give rise to conflicting constructions of such language and affect the administration of the treaty in a manner not anticipated by one of the parties.

As to these particulars in the pending treaty, it would appear that the adoption of the reservation offered by the Senator from Nebraska would eliminate the first danger. I contend, however, that it offers no relief whatever as against the second danger. It in no way aids the Senate in searching out the latent ambiguities in the present treaty, so that if such ambiguities do exist, they may be removed before the treaty becomes effective through the consent to it by the United States Senate.

The same expressions frequently have different meanings to different parties. Legal history is replete with disputes between parties who have executed contracts as to the construction of the very language that such parties adopted. This is true of treaties as well as contracts between individuals. A treaty is a contract. The only difference between a treaty and an instrument we term a contract is that one is executed by governments and the other is executed by individuals. When disputes arise between parties to a contract as to the meaning and purpose and administration of the contract, or some provision of it, such disputes may be settled by a court of proper jurisdiction. If such contract or any provision of it is subject to two constructions, then the court seeks the intent of the parties to the contract at the time of its execution. Letters, contemporaneous signed documents, and other evidence become material and are examined by the court in determining such intent. The court, having reached its decision, renders its decree and the dispute is settled.

When such disputes arise between nations with regard to a treaty or any of its provisions the same rule of construction applies, but there is no court to adjust irreconcilable differences of opinion, and such disputes are frequently settled by force. It is for this reason that every precaution is required in the execution of a treaty.

The framers of our Constitution fully realized these facts. They realized that treaties may surrender business and commercial rights of our citizens; that treaties may morally deter Congress "to provide and maintain a navy" so as "to provide for the common defense" as required in the Constitution; that treaties may establish alliances, declared or implied, that will involve our people in the wars of foreign countries. They considered no treaty better than an uncertain and dangerous treaty. They took unusual precautions against the adoption of a dangerous treaty.

The impression has grown in recent years that the treaty-making power resides in the Chief Executive, the President of the United States, and that the only function to be performed by the United States Senate is a perfunctory ratification of the act of the President, such as is common in the confirmation of postmasters. There are no grounds for this false impression and it arises, I believe, from ignorance of the history of the adoption of the Constitution and partially through the impatience of the Executive supported by an equally impatient press.

The farsighted and patriotic statesmen who framed our Constitution gave most thoughtful consideration to our relations with foreign countries. With regard to the adoption of treaties they provided in the Constitution that—

He [the President] shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

Undoubtedly, the phrase "make treaties" has in part created the impression that the functions to be performed by the Senate are more or less perfunctory. It is evident that the making is not complete until two-thirds of the Senate have given their consent and have concurred.

In every case except in the consent and concurrence by the Senate to treaties, and in overriding a veto of the President, the Constitution only requires a majority vote for senatorial action. It is evident that the framers of the Constitution, realizing the dangers of treaties, were unwilling to leave the adoption of a treaty to the judgment of one man, even though he be the Chief Executive, the President of all the United States. So deeply were the framers of the Constitution disturbed by the dangers that might arise from treaty relations that they were unwilling to leave the adoption of a treaty to the President and the United States Senate acting, as usual, through a majority. They would only trust the patriotism, intelligence, judgment, and experience of the President of the United States and two-thirds of the United States Senate.

Let us remember that at that time our States through the Constitution were just emerging from the position of independent sovereigns, for whom no one had authority to make a treaty. These sovereign States, through the Constitution, were providing for cooperation in certain matters. Among these were cooperation in the negotiation of treaties through the President, the Chief Executive of the Federal Union. These sovereign States realized the dangers arising from contractual relations through treaties with foreign governments. Each State was to have forever an equal representation in the United States Senate, and yet they were unwilling to trust a majority of such representatives in the matter of making treaties with foreign nations. They insisted that they should be bound by no treaty made by the President, the Chief Executive of the Federal Union, until two-thirds of their representatives in the Senate advised and consented to the treaty and concurred.

Was more reliance placed in the judgment and action of the President or in the judgment and action of the United States Senate? The Constitution and the history of the Constitution answers this question beyond doubt. The States depended upon their representatives in the Senate and not upon the President of the United States.

The Constitution has not changed in this particular and the States still depend upon their representatives in the United States Senate to protect them against dangerous treaties. How can the Senate of the United States protect the States and the citizens against the dangerous treaty unless the Senate is certain as to what interpretation may be given the treaty in the future affecting its administration, and how can the Senate be certain with regard to such future interpretation unless it is advised as to the discussion surrounding the writing of every word, phrase, and provision of the treaty?

I take it that there is not a United States Senator who differs with regard to these fundamental facts. Certainly the Foreign Relations Committee of the United States Senate concurs in this construction. The Foreign Relations Committee on the 12th day of June, 1930, adopted the following resolution by an almost unanimous vote. I read it:

Whereas this committee has requested the Secretary of State to send to it the letters, minutes, memoranda, instructions, and dispatches which were made use of in the negotiations prior to and during the sessions of the recent conference of London; and

Whereas the committee has received only a part of such documents; and

Whereas the Secretary of State, by direction of the President, has denied a second request from this committee for the papers above described; and in his letter to the chairman of this committee has apparently attempted to establish the doctrine that the treaty of London must be considered by the Senate "from the language of the document itself and not from extraneous matter"; Therefore be it

Resolved, That this committee dissents from such doctrine and regards all facts which enter into the antecedent or attendant negotiations of any treaty as relevant and pertinent when the Senate is considering a treaty for the purpose of ratification, and that this committee hereby asserts its right, as the designated agent of the Senate, to have free and full access to all records, files, and other information touching the negotiation of any treaty, this right being based upon the constitutional prerogative of the Senate in the treaty-making process; and be it further

Resolved, That the chairman of this committee transmit a copy of these resolutions to the President and to the Secretary of State.

Is there any question as to the belief of the Foreign Relations Committee that it could not intelligently act upon the treaty without having before it all the records and documents precedent to and attending the negotiation of that treaty? Certainly not. That matter was discussed when the resolution was

submitted; the resolution was almost unanimously adopted, and no one here heard contest the principle laid down.

After the adoption of that resolution I voted to refer the treaty to the United States Senate.

A resolution was adopted by the United States Senate on the calendar day of July 10, 1930, known as Senate Resolution No. 320, in which it was resolved as follows:

That the President be, and he is hereby, requested, if not incompatible with the public interest, to submit to the Senate, with such recommendation as he may make respecting their use, all letters, cablegrams, minutes, memoranda, instructions, and dispatches and all records, files, and other information touching the negotiations of said London naval treaty, to the end that the Senate may be able to do and perform its constitutional obligations with respect to advising and consenting to and ratifying such treaty or rejecting same.

It is plain what that resolution means. It demands these papers "to the end that the Senate may be able to do and perform its constitutional obligations with respect to advising and consenting to and ratifying such treaty or rejecting same."

With the exception of four or five, as I recall, all the Members of this body believed that these papers were essential to the performance of their constitutional duty. I know I thought so, or I would not have voted for it; I did vote for it.

To that resolution the President replied under date of July 11, which was the next day. In that message he asserted that there were no secret or concealed understandings, promises, or interpretations, nor any commitments whatever except those that appear in the treaty itself. That statement is substantially the same statement that is made in the reservation proposed by the Senator from Nebraska. The only difference in the effect of the two statements is that the statement by the President is an opinion based upon such information as his representatives have given him, while the reservation becomes effective as a part of the treaty.

I may say that it is very strange, and, so far as I know, something that has never occurred before, that there should be attached to a treaty a statement that it is ratified with the understanding that there are no secret agreements or understandings that will change the meaning of the written treaty.

It has been charged that a reservation to that effect attached to the treaty, when he has already denied there is any such agreement or understanding, will be a reflection upon the President of the United States. I will not pass on that question; I have my own opinion in regard to it; but, whether it be a reflection upon the President of the United States or not, whether it be a reflection upon the Secretary of State, who represented him at the negotiations, I may say that if those documents and records had been submitted to the United States Senate, as asked for almost unanimously by this body in the resolution which it adopted, with the request that they be used in executive session exclusively, and that they be held in confidence, this question would never have arisen. It is because no such action has ever been taken, to my knowledge, by any President before, that no such reservation has ever been required.

Of course, the reservation of the Senator from Nebraska is necessary. Why? Because the hearsay testimony of the President of the United States has no more weight than the hearsay testimony of anyone else. He was not present at the conference. Somebody has told him that there were no secret agreements, no outside understandings. That, however, is only one phase of the matter. That can be taken care of. As I have said before, I am not interested in that question, as the Norris reservation will settle it. It is the question of the future construction of the treaty when disputes arise as to its meaning and administration that now concerns me.

The rest of the President's message takes the position that he is afraid to submit to the Senate the records requested by it, upon the grounds that such records are confidential, and that if given to the Senate they would be made public in debate or in the press.

The resolution just referred to, Senate Resolution 320, to which the President replied, expressly invited him to make such recommendation respecting the use of such records and documents requested as he saw fit.

There can be no mistake as to what the Senate intended by this. They left it up to the President in transmitting such documents and records to do so in confidence or publicly, as he saw fit.

The Foreign Relations Committee requested certain documents and records from the President relative to the negotiation of the treaty, without advising him as to whether they would be used confidentially or publicly, and the President submitted certain of these documents to the committee with the express injunction that they were to be held confidential.

They were held confidential and their contents were not made public. He had the same opportunity, with the same result, under the invitation of the Senate to submit them in confidence.

Why did not the President submit to the Senate the documents requested by the Senate under the same injunction of confidence? Not because they would not be of value to the Senate but because, as is evident from his message, he is unwilling to place confidence in the United States Senate.

From the institution of the Senate until recently the rules of the Senate have provided that treaties shall be considered and acted upon in executive session, and that all such proceedings shall be held in secret, and confidential. The same procedure may be had now. Undoubtedly the reason for the rule for the consideration of treaties in executive session was that all confidential matters might be withheld from publicity. It was just as important in the eyes of the framers of the Constitution, if not more important, that the Senate should have access to all material correspondence, records, and other evidence affecting the negotiation of the treaty as it was for the President. The President knows this. The President should know that if he had submitted such documents and records to the Senate with the understanding that they were to be considered only in executive session, and held in secrecy and confidence, such confidence would not have been violated. If mutual confidence, respect, and cooperation can not be maintained between the two treaty-making bodies, then it will be difficult to perform intelligently the treaty-making functions. Documents may or may not be material to a proper interpretation of a treaty; but that is a question for the Senate to determine, because the responsibility for the concurrence in a treaty rests upon the Senate and the Senate alone.

There are some who do not consider that the pending treaty amounts to much; but there is a principle involved that was established at the very foundation of our Government, and is just as vital to the safety of our people to-day as it was when the Constitution was adopted.

I sincerely trust that the President will reconsider his action in this matter.

I here offer for print the Norris reservation.

Whereas in the consideration of said treaty the Senate on the 10th day of July, 1930, requested the President of the United States to submit to the Senate all letters, cablegrams, minutes, memoranda, instructions, and dispatches and all record files, and other information touching the negotiations of said treaty; and

Whereas the President of the United States has declined to comply with said request and the Senate, therefore, in acting upon said treaty has been compelled to do so without any opportunity to give consideration to the letters, memoranda, and other documents and communications leading up to the drafting of said treaty or in negotiating the same: Therefore be it

Resolved by the Senate, That in ratifying said treaty the Senate does so with the distinct and explicit understanding that there are no secret files, documents, letters, understandings, or agreements which in any way, directly or indirectly, modify, change, add to, or take from any of the stipulations, agreements, or statements in said treaty; and that the Senate ratifies said treaty with the distinct and explicit understanding that there is no agreement, secret or otherwise, expressed or implied, between any of the parties to said treaty as to any construction that shall hereafter be given to any statement or provision contained therein.

Mr. GEORGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Nevada yield to the Senator from Georgia?

Mr. PITTMAN. I do.

Mr. GEORGE. With the Senator's permission, I should like to make a suggestion.

In this particular instance the documents were of special importance, because the Senator will recall that when the early personal negotiations were begun between Mr. MacDonald and the Chief Executive of the United States, the fear was expressed in many countries that we were about to begin another balance-of-power arrangement. The Senator will recall that; and one of the strongest objections that could be urged to this treaty—it has been infrequently urged, if at all—is that it may, in the course of events and under the force of circumstances, become the foundation of a new balance-of-power arrangement or alliance.

I do not share that fear, because if I did I could not vote for the treaty, and I have announced that I shall do so; but the presentation of the documents more than any declarations by the British Government or by the Government of the United States, or by both combined would have removed, once and for all time, any suspicion that the London naval treaty had for its ulterior purpose or motive any thought of a balance-of-power arrangement or alliance.

So it seems to me that in this case the President of the United States lost a supreme opportunity to serve the cause that he undoubtedly desires to serve, and to advance the cause that he unquestionably desires to advance—to wit, general world security, peace—by not transmitting to the Senate the documents that would have clearly indicated that there was no intent or purpose in the making of this treaty other than the limitation of naval armaments.

For that reason it has seemed to me that the documents in this case, especially, should have been submitted to the Senate in the interest not only of the United States but of the other powers signatory to this treaty; and I think the Senator from Nevada has performed a service in making the statement that he has made in this body this afternoon. I am certain that the evil precedent set is so thoroughly out of harmony with the letter and spirit of our Constitution and of our institutions that it can not be asserted again by any President of the United States.

Let me make this statement in all kindness:

The delegates to the London conference stood for open covenants openly arrived at. They insisted upon an open conference at London, to the end that there might be no suspicion of secret agreements, to the end that there might be no just grounds to believe that this treaty was intended or could be made use of as the basis of a new balance of power in the world; and yet when the one opportunity is offered, at the respectful request of the Senate of the United States, in the exercise of its undoubted constitutional right and power, the President declines to let the notes come to the Senate.

If the Senator will pardon me, it is no answer at all to say that the Senate has not the power to compel the President to transmit these notes. Neither has the President the power to compel the Senate to ratify the treaty; but, rather, the proper presumption is that both the Executive and the Senate will willingly perform their clear constitutional duties and obligations.

Mr. PITTMAN. Mr. President, I have not urged that the President submit these documents with the privilege of having them made public, nor was that restriction placed upon the President. On the contrary, he had the invitation in the resolution to submit them under such restrictions as he saw fit. There may be ground for question as to whether the documents should be made public or not. I have not gone into that matter, and do not desire to do so. I do say, however, that the Foreign Relations Committee were overwhelmingly in favor of the production of the documents, as I have stated. They practically asserted that they could not come to an intelligent decision without these papers. They could not tell whether they were protecting the Government and the citizens or not; but we voted the treaty out because we thought it was a matter for the Senate to determine rather than a committee, and then the Senate almost unanimously reiterated the same doctrine. Nearly every one of the Senators asserted in that resolution that they could not intelligently protect the Government of the United States and its citizens without having this information; and when the President refuses to give it to them they are going right ahead without having the intelligence or the information necessary to protect them!

Of course, if I had belonged to that very small group of four or five in the Senate who believed that the Senate is only a perfunctory body, and who believe that the treaty-making power should be exclusively in the President, I would not insist upon this point.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. PITTMAN. I yield.

Mr. BLACK. I desire to call the Senator's attention to the fact that there was no disagreement on the part of the Senate as to the right to have the papers. The four or five Senators who voted against the resolution did so on the ground that the resolution had included in it an amendment giving the President the right to decline to send them to this body if he believed it was not compatible with the public interest.

Mr. PITTMAN. I am glad to be informed of that. I was mistaken. I thought there were four or five who voted against the request. I am now informed that it was unanimous.

Mr. BLACK. They voted against the resolution as it was amended; but they were for the principle inserted in the resolution, but against restricting it by leaving it up to the President to determine whether or not it was incompatible with the public interest. So the opinion of the Senate was unanimous, as the Senator states, on the point to which he refers.

Mr. PITTMAN. Recurring now to what the Senator from Georgia [Mr. GEORGE] said with regard to the suspicion in the minds of the leaders of certain other governments at the time the Premier of Great Britain came to this country and went up to the Rapidan, that suspicion continued all the way through

the conference over there and exists now. This treaty does not provide for an alliance, I suppose; but it certainly provides for a partitioning of the control of the world in three parts. There is no doubt about that. There is not any question but that Great Britain controls everything, from the vicinity of its coast clear around to Singapore, the Mediterranean, the Indian Ocean.

It is equally true, of course, that the United States will be dominant along the American continent. It is not a very great gift, because it has been dominant along the American continent ever since the Monroe doctrine was announced. There is no doubt, and no naval expert would ever deny it, that this treaty grants to Japan absolute domination of the western Pacific Ocean north of Singapore. There is no doubt that this treaty permits Japan to abolish the open door for China. It is a question of policy as to whether one objects to that or not. There may be some strong arguments to the effect that she will never try to use that power, but I say that as far as the treaty is concerned that is what it does.

There may be grave doubts in the minds of a great many as to whether or not Japan should ever have had the ratio of 5-3 if it is based on the requirements for defense. The United States has far more than twice as much to protect than has Japan. Japan has one front and we have two. Japan has no outlying possessions; we have many. There is only one nation of which Japan has ever been afraid, if she is afraid of any, and that is us, and we are as far away from Japan as Japan is from us, and having surrendered the right of fortification of our possessions in her vicinity there seems to be little reason for fear. Of course, we will not permit the open door to China to be closed.

I did not start out to discuss that question; I may discuss it later. I am not in a position to determine, and I do not think any Senator here is in a position to determine, whether or not, in the correspondence or somewhere else, there are some intimations. I do not know, but I am not basing my stand upon that at all.

I contend that this treaty is insignificant in comparison with surrendering the checks of the Constitution, the checks provided by requiring the consent of two-thirds of the United States Senate to any treaty, after due consideration of all the facts bearing upon the treaty before it shall be effective. That is exactly the precedent we are establishing at the present time, and every Senator in his heart knows it. There is no use any more of asking the President of the United States for any documents relating to the negotiation and signing of a treaty. He has established the doctrine which he announced when he answered the Foreign Relations Committee—that is, that the Senate of the United States is concerned only with the language of the treaty. That is what he told our committee, and that is what he has told the Senate; and the Senate is about to confirm that doctrine right now by waiving the question and submitting.

I think if Senators will give thought to this thing, and will be willing to stand a while, the President will yield on that point, as he has yielded on the point of the reservation offered by the Senator from Nebraska. But we are in too big a hurry to get away. That is the reason, is it not? As a matter of fact, there is no necessity of our being here. Complaint is made about absentees, absentees! The Senate has been here smothering and suffering for seven or eight months, and then there is brought in here a treaty which is not an emergency matter. It has not even been taken up by Japan as yet. It is not even under consideration in England, although it has been filed in the House of Commons. It will not be considered by England or Japan this summer.

What is wrong? As a matter of fact, France has announced that she will postpone her naval program until next fall, and Italy is going to suspend until next fall. Why not see what they do before we act? What is the hurry? Where is the emergency? Yet when Senators are sick from the punishment they have had here from months of confinement and work, and are forced to go away for their health, they are attacked on the ground that they are absentee Senators. I do not think that form of intimidation is compatible with the dignity of our Government.

Mr. COPELAND resumed and concluded the speech begun by him yesterday. The speech entire follows:

Tuesday, July 15, 1930

Mr. COPELAND. Mr. President, the newspapers to-day indicate that with the reluctant consent of the President it has been agreed to ratify the treaty with some sort of reservation. In the New York World of to-day I find these headlines:

President, on BONAIR's plea, accepts naval reservation with "affront" clauses out. Hoover reverses decision made on advice of ALLEN and

REED. NORRIS agrees to modify text. Passage hope spurred. July 25 possible date. Presence of 64 promised to save quorum.

Then the article, which is by Mr. Elliott Thurston, begins as follows:

WASHINGTON, July 14.—Prospects for early ratification of the London naval treaty improved greatly to-day when President Hoover, after consulting Senator BORAH, decided to accept the Norris reservation, which stipulates that nothing in the "secret documents" alters the treaty text. It will be amended to take out the "whereases" reciting the President's refusal to send the documents to the Senate. Faced with many defections from the ranks of the treaty supporters if the Norris reservation should be voted down, Mr. Hoover had an overnight reversal of opinion, or, rather, BORAH persuaded him to discard the advice of Senators ALLEN, REED, and others who had urged him to reject the Norris reservation as an affront and reflection on his integrity.

Of course, Mr. President, it seems surprising to me that this concession is granted by the administration, which was so outspoken originally in its opposition to any sort of change in the text of the treaty. We were told by a spokesman of the President that the treaty must be accepted without the dotting of an "i" or the crossing of a "t." Fear of defeat has wrong unwilling consent to a modification, but there continues to be unwillingness to trust the Senate with the so-called secret documents. It is that phase of the controversy that I wish to touch upon this afternoon.

Our country never can forget the aid given us by the French court at the time of our struggle for liberty. It was unfortunate there came to embarrass the administration of President Washington in the very beginning of our national life a question involving the French people. It was natural, of course, that popular sympathy in America should have been with France in her troubles with England.

I do not intend to review the painful incidents of the career of Citizen Genêt; his offensive activity as minister of the French Republic, his recall, and the other features of his life are, of course, well known. But I do wish to refer to the popular excitement and bitterness engendered by that affair.

It was an extremely trying time for President Washington, but he dealt with the matter firmly and rather successfully, as it turned out. Mr. Jefferson prepared for the President a proclamation of neutrality. I am not sure that Mr. Jefferson did this very cordially, but, nevertheless, he prepared the proclamation; it was approved by the unanimous vote of the Cabinet and was issued by President Washington.

It is not uncommon in this body to hear references made to this or that number of the *Federalist*; indeed, in Supreme Court decisions we find many references made to these papers. They are important because the letters therein published are the utterances of men who almost without exception were in the Constitutional Convention, and what they had to say bears great weight with our people. I doubt exceedingly if the State of New York would ever have consented to the Constitution and voted for its ratification except for those letters which were addressed, as will be remembered, to the people of the State of New York.

The letters shed much light on the intentions of the fathers, and, of course, they were written, as I have said, by the fathers themselves. So we must consider this book as a reliable commentary upon the text of the Constitution.

There are two other papers of a similar nature which are not referred to so frequently, and yet they have the same historical significance. I refer to the letters of "Pacificus" and the letters of "Helvidius." The letters of "Pacificus," as everybody knows, came from the pen of Alexander Hamilton.

I am not surprised when I reread these letters that Mr. Hamilton took exactly the stand he did with reference to the situation as it then presented itself to the American people. Mr. Hamilton loved England; he believed in the English institutions and in the English form of government. If he had had his way, I have no doubt he would have had President Washington take a stand for England as against France, instead of simply taking a position of neutrality. In these letters of "Pacificus," Hamilton discusses at great length the proclamation of neutrality. He recites the objections which were commonly made to that proclamation. He says, for instance:

The objections in question fall under four heads:

1. That the proclamation was without authority.
2. That it was contrary to our treaties with France.
3. That it was contrary to the gratitude which is due from this to that country for the success afforded to us in our own Revolution.
4. That it was out of time and unnecessary.

To all these objections he replies very convincingly from his standpoint. He presents a strong case for England as against France.

Naturally, these letters attracted wide attention in our country; and the arguments used were in such familiar language the work was recognized at once as that of Alexander Hamilton. I suppose, because of the place of his birth and his faith in the English system and his blind devotion to English ideas, it was natural that he should be a partisan of England in the Genêt episode, and, of course, he applauded Washington's proclamation of neutrality. He did not share the popular sympathy of Americans with France. As I have said, no doubt if he had dared he would have come out openly for England.

It was natural that Mr. Madison should have been the one to reply to the letters of Alexander Hamilton; and I desire to quote somewhat extensively from the first letter of "Helvidius," as these letters of Madison were signed. I do so because Mr. Madison in these writings goes into greater detail than any other author of his time undertook to do, so far as I know, regarding the making of treaties. What Madison said in these letters is appropriate to the discussion which we have here to-day.

He starts out—page 42:

Several pieces with the signature of *Pacificus* were lately published, which have been read with singular pleasure and applause by the foreigners and degenerate citizens among us who hate our republican Government and the French Revolution, whilst the publication seems to have been too little regarded or too much despised by the steady friends to both.

Had the doctrines inculcated by the writer, with the natural consequences from them, been nakedly presented to the public, this treatment might have been proper. Their true character would then have struck every eye and been rejected by the feelings of every heart, but they offer themselves to the reader in the dress of an elaborate dissertation; they are mingled with a few truths that may serve them as a passport to credulity, and they are introduced with professions of anxiety for the preservation of peace, for the welfare of the Government, and for the respect due to the present head of the executive, that may prove a snare to patriotism.

These words might well be applied to the situation we have here to-day. As I have listened to the arguments in favor of the pending treaty it has seemed to me that many of them are as fallacious as those arguments of Alexander Hamilton in the letters to which Madison is replying.

I quote:

In these disguises they have appeared to claim the attention I propose to bestow on them, with a view to show, from the publication itself, that under color of vindicating an important public act, of a Chief Magistrate who enjoys the confidence and love of his country, principles are advanced which strike at the vitals of its constitution, as well as to its honor and true interest.

As it is not improbable that attempts may be made to apply insinuations which are seldom spared when particular purposes are to be answered to the author of the ensuing observations, it may not be improper to premise that he is a friend to the Constitution, that he wishes for the preservation of peace, and that the present Chief Magistrate has not a fellow citizen who is penetrated with deeper respect for his merits or feels a purer solicitude for his glory.

This declaration is made with no view of courtship a more favorable ear to what may be said than it deserves. The sole purpose of it is to obviate imputations which might weaken the impressions of truth and which are the more likely to be resorted to, in proportion, as solid and fair arguments may be wanting.

The substance of the first piece, sifted from its inconsistencies and its vague expressions, may be thrown into the following propositions:

That the powers of declaring war and making treaties are, in their nature, executive powers.

That being particularly vested by the Constitution in other departments, they are to be considered as exceptions out of the general grant to the executive department.

That being, as exceptions, to be construed strictly, the powers not strictly within them remain with the Executive.

That the Executive consequently, as the organ of intercourse with foreign nations and the interpreter and executor of treaties and the law of nations, is authorized to expound all articles of treaties, those involving questions of war and peace, as well as others; to judge of the obligations of the United States to make war or not, under any casus fœderis or eventual operation of the contract, relating to war; and to pronounce the state of things resulting from the obligations of the United States as understood by the Executive.

Then Madison continues in further words, reciting what Mr. Hamilton had proposed in his letters:

That in particular the Executive had authority to judge, whether in the case of the mutual guaranty between the United States and France, the former were bound by it to engage in the war;

That the Executive has, in pursuance of that authority, decided that the United States are not bound; and

That its proclamation of the 22d of April last is to be taken as the effect and expression of that decision.

That is the outline which Mr. Madison gave of the arguments set forth in the first of the letters of Mr. Hamilton on this subject. Then Madison says:

The basis of the reasoning is, we perceive, the extraordinary doctrine, that the powers of making war and treaties are in their nature executive, and therefore comprehended in the general grant of executive power where not especially and strictly excepted out of the grant.

Let us examine this doctrine; and that we may avoid the possibility of mistaking the writer it shall be laid down in his own words; a precaution the more necessary, as scarce anything else could outweigh the improbability that so extravagant a tenet should be hazarded at so early a day in the face of the public.

Now he quotes verbatim the language used by Mr. Hamilton in his Letters of Pacificus:

His words are: "Two of these (exceptions and qualifications to the executive powers) have been already noticed—the participation of the Senate, in the appointment of officers and the making of treaties. A third remains to be mentioned—the right of the legislature to declare war, and grant letters of marque and reprisal."

Again: "It deserves to be remarked, that as the participation of the Senate in the making of treaties and the power of the legislature to declare war, are exceptions out of the general executive power, vested in the President, they are to be construed strictly, and ought to be extended no further than is essential to their execution."

That is the end of the quotation. Then Madison proceeds on his own account:

If there be any countenance to these positions, it must be found either, first, in the writers of authority on public law; or, second, in the quality and operation of the powers to make war and treaties; or, third, in the Constitution of the United States.

It would be of little use to enter far into the first source of information, not only because our own reason and our own Constitution, are the best guides, but because a just analysis and discrimination of the powers of government, according to their executive, legislative, and judiciary qualities, are not to be expected in the works of the most received jurists, who wrote before a critical attention was paid to those objects, and with their eyes too much on monarchical governments, where all powers are confounded in the sovereignty of the prince. It will be found, however, I believe, that all of them, particularly Wolsius, Burlemaqui, and Vattel, speak of the powers to declare war, to conclude peace, and to form alliances, as among the highest acts of the sovereignty, of which the legislative power must at least be an integral and preeminent part.

Writers such as Locke and Montesquieu, who have discussed more particularly the principles of liberty and the structure of government, lie under the same disadvantage of having written before these subjects were illuminated by the events and discussions which distinguish a very recent period.

Of course they did, as a matter of fact. These great authorities antedated the Revolution by a good many years, and so were not familiar with what had taken place in America.

Then I continue my quotation from Mr. Madison, speaking about these same writers:

Both of them, too, are evidently warped by a regard to the particular government of England, to which one of them owed allegiance, and the other professed an admiration bordering on idolatry. Montesquieu, however, has rather distinguished himself by enforcing the reasons and the importance of avoiding a confusion of the several powers of government than by enumerating and defining the powers which belong to each particular class. And Locke, notwithstanding the early date of his work on civil government and the example of his own government before his eyes, admits that the particular powers in question, which, after some of the writers on public law he calls federative, are really distinct from the executive, though almost always united with it, and hardly to be separated into distinct hands. Had he not lived under a monarchy, in which these powers were united, or had he written by the lamp which truth now presents to lawgivers, the last observation would probably never have dropped from his pen. But let us quit a field of research which is more likely to perplex than to decide, and bring the question to other tests of which it will be more easy to judge.

So now Mr. Madison enters upon the second phase of his argument, and I quote:

If we consult for a moment the nature and operation of the two powers to declare war and to make treaties, it will be impossible not to see that they can never fall within a proper definition of executive powers. The natural province of the executive magistrate is to execute laws, as that of the legislature is to make laws. All his acts, therefore, properly executive, must presuppose the existence of the laws to be executed. A treaty is not an execution of laws. It does not presuppose the existence of laws. It is, on the contrary, to have itself

the force of a law and to be carried into execution like all other laws by the executive magistrate. To say, then, that the power of making treaties, which are confessedly laws, belongs naturally to the department which is to execute laws is to say that the executive department naturally includes a legislative power. In theory this is an absurdity; in practice a tyranny.

And I think we may well ponder these wise words.

Mr. Madison goes on:

The power to declare war is subject to similar reasoning. A declaration that there shall be war is not an execution of laws; it does not suppose preexisting laws to be executed. It is not in any respect an act merely executive. It is, on the contrary, one of the most deliberate acts that can be performed, and when performed has the effect of repealing all the laws operating in a state of peace, so far as they are inconsistent with a state of war, and of enacting as a rule for the executive a new code adapted to the relation between the society and its foreign enemy. In like manner a conclusion of peace annuls all the laws peculiar to a state of war and revives the general laws incident to a state of peace.

These remarks will be strengthened by adding that treaties, particularly treaties of peace, have sometimes the effect of changing not only the external laws of the society, but operate also on the internal code, which is purely municipal, and to which the legislative authority of the country is of itself competent and complete.

From this view of the subject it must be evident that although the Executive may be a convenient organ of preliminary communications with foreign governments on the subjects of treaty or war and the proper agent for carrying into execution the final determinations of the competent authority, yet it can have no pretensions, from the nature of the powers in question compared with the nature of the Executive trust, to the essential agency which gives validity to such determinations. It must be further evident that if these powers be not in their nature purely legislative they partake so much more of that than of any other quality that under a constitution leaving them to result to their most natural department the legislature would be without a rival in its claim.

Another important inference to be noted is that the powers of making war and treaty being substantially of a legislative, not of an executive, nature, the rule of interpreting exceptions strictly must narrow instead of enlarging executive pretensions on those subjects.

At this point Mr. Madison goes into the third phase of his argument and says this:

It remains to be inquired whether there be anything in the Constitution itself which shows that the powers of making war and peace are considered as of an executive nature and as comprehended within a general ground of executive power. It will not be pretended that this appears from any direct position to be found in the instrument.

If it were deducible from any particular expressions, it may be presumed that the publication would have saved us the trouble of the research.

Does the doctrine, then, result from the actual distribution of powers among the several branches of the Government, or from any fair analogy between the powers of war and treaty, and the enumerated powers vested in the Executive alone? Let us examine:

In the general distribution of powers we find that of declaring war expressly vested in the Congress, where every other legislative power is declared to be vested, and without any other qualification than what is common to every other legislative act. The constitutional idea of this power would seem, then, clearly to be that it is of a legislative and not an executive nature.

This conclusion becomes irresistible when it is recollected that the Constitution can not be supposed to have placed either any power legislative in its nature entirely among executive powers, or any power executive in its nature entirely among legislative powers, without charging the Constitution with that kind of intermixture and consolidation of different powers which would violate a fundamental principle in the organization of free governments. If it were not unnecessary to enlarge on this topic here it could be shown that the Constitution was originally vindicated and has been constantly expounded with a disavowal of any such intermixture.

The power of treaties is vested jointly in the President and in the Senate, which is a branch of the legislature. From this arrangement, merely, there can be no inference that would necessarily exclude the power from the executive class, since the Senate is joined with the President in another power, that of appointing to offices, which, as far as relate to executive offices at least, is considered as of an executive nature. Yet, on the other hand, there are sufficient indications that the power of treaties is regarded by the Constitution as materially different from mere executive power and as having more affinity to the legislative than to the executive character.

It seems to me these words are very significant, coming from the father of the Constitution, from the man who stood pre-eminent in the constitutional convention of 1787, the man who had more to do with the building of the Constitution than any

other man in the convention. So, I think we may listen, and listen with great respect and attention to what is said by Mr. Madison.

It will be of interest, I think, to know that this book which I hold in my hand was dated at Washington in May, 1818. A copy of this letter I am reading was submitted to Mr. Madison, who reviewed it at the time of the book's publication.

That is merely a side remark, to give significance to the authenticity of the document, and also to call attention to the great importance of the utterances here recorded, coming as they do from the father of the Constitution. I continue my quotation:

One circumstance indicating this is the constitutional regulation under which the Senate give their consent in the case of treaties. In all other cases the consent of the body is expressed by a majority of voice. In this particular case a concurrence of two-thirds at least is made necessary, as a substitute or compensation for the other branch of the legislature, which, on certain occasions, could not be conveniently a party to the transaction.

But the conclusive circumstance is that treaties, when formed according to the constitutional mode, are confessedly to have the force and operation of laws, and are to be a rule for the courts in controversies between man and man, as much as any other laws. They are even emphatically declared by the Constitution to be "the supreme law of the land."

So far the argument from the Constitution is precisely in opposition to the doctrine.

Referring to Hamilton's doctrine.

As there are but few, it will be most satisfactory to review them one by one.

Then he makes reference to that part of the Constitution which provides that the President shall be the Commander in Chief of the Army and Navy of the United States and of the militia when called into the actual service of the United States. Mr. Madison says in that connection:

There can be no relation worth examining between this power and the general power of making treaties. And instead of being analogous to the power of declaring war, it affords a striking illustration of the incompatibility of the two powers in the same hands. Those who are to conduct a war can not in the nature of things be proper or safe judges, whether a war ought to be commenced, continued, or concluded. They are barred from the latter function by a great principle in free government, analogous to that which separates the sword from the purse, or the power of executing from the power of enacting laws.

"He may require the opinion in writing of the principal officers in each of the executive departments upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in case of impeachment." These powers can have nothing to do with the subject.

Then he quotes again:

"The President shall have power to fill up vacancies that may happen during the recess of the Senate by granting commissions which shall expire at the end of the next session."

The same remark is applicable to this power, as also to that of "receiving ambassadors, other public ministers and consuls." The particular use attempted to be made of this last power will be considered in another place.

In that other place he speaks of the importance of having the power of getting information lodged somewhere. The President through the ambassadors would be able to get information which would be important in determining upon a treaty. Then Madison quotes again from the Constitution:

"He shall take care that the laws shall be faithfully executed, and shall commission all officers of the United States." To see the laws faithfully executed constitutes the essence of the executive authority. But what relation has it to the power of making treaties and war; that is, of determining what the laws shall be with regard to other nations? No other certainly than what subsists between the powers of executing and enacting laws; no other, consequently, than what forbids a coalition of the powers in the same department.

I pass over the few other specified functions assigned to the President, such as that of convening the Legislature, and so forth, and so forth, which can not be drawn into the present question.

It may be proper, however, to take notice of the power of removal from office, which appears to have been adjudged to the President by the laws establishing the executive departments, and which the writer has endeavored to press into his service.

He meant that Mr. Hamilton made use of that argument to further the idea which he was attempting to press upon the people. Madison continued:

To justify any favorable inference from this case it must be shown that the powers of war and treaties are of a kindred nature to the

power of removal, or at least are equally within a grant of executive power. Nothing of this sort has been attempted, nor probably will be attempted. Nothing can in truth be clearer than that no analogy or shade of analogy can be traced between a power in the supreme officer responsible for the faithful execution of the laws to displace a subaltern officer employed in the execution of the laws; and the power to make treaties and to declare war, such as these have been found to be in their nature, their operation, and their consequences.

Thus it appears that by whatever standard we try this doctrine, it must be condemned as no less vicious in theory than it would be dangerous in practice. It is countenanced neither by the writers on law nor by the nature of the powers themselves, nor by any general arrangements or particular expressions or plausible analogies to be found in the Constitution.

Whence, then, can the writer have borrowed it?

There is but one answer to this question.

The power of making treaties and the power of declaring war are royal prerogatives in the British Government and are accordingly treated as executive prerogatives by British commentators.

We shall be the more confirmed in the necessity of this solution of the problem by looking back to the era of the Constitution and satisfying ourselves that the writer could not have been misled by the doctrines maintained by our own commentators on our own Government. That I may not ramble beyond prescribed limits I shall content myself with an extract from a work which entered into a systematic explanation and defense of the Constitution, and to which there has frequently been ascribed some influence in conciliating the public assent to the Government in the form proposed.

(At this point Mr. COPELAND yielded the floor for the day.)

Wednesday, July 16, 1930

Mr. COPELAND. Mr. President, I have been quoting from historical documents, from the fathers of the Republic, to make clear that it was never intended the Senate should accept without question a treaty as it was written. The Senate has coordinate power with the President in making a treaty. Indeed, the Senate has the last word. A treaty is not a finished document from the American standpoint until the Senate has had opportunity to modify, to radically change, or to ratify.

I turn aside for the moment to speak about what the Senator from Nevada has said. He has expressed far better than I can the thought I have had in mind, that another appeal should be made to the President to give us these documents. It never was intended by the fathers that there should be kept from the Senate the information which led to the formulation of a treaty. That information should not be denied us now.

It is a pathetic thing—the popular idea that the President has the treaty-making power. The popular idea is that that power is exclusively in the hands of the President. I have had, as some other Senators have had, many letters from constituents. I received one this morning which I wish to quote because it is appropriate to the discussion now in hand. This letter begins:

The undersigned, your constituents, have been following the course of the special session of the Senate with much interest and concern. We are of the opinion that a special session was not at all a necessity, that the Senate should have ratified without prolonged discussion the London naval treaty. We believe that the commission sent to England to confer with foreign powers was chosen with great discretion, and achieved the best possible results, and that the only course for the Senate to take, now that it is in special session, is to ratify that achievement with as little delay as possible.

That is what I hear from constituents occasionally, the implication being that the Senate has but one duty—namely, to ratify the treaty and go home.

Mr. President, as I have attempted to show by the documents to which I have referred, by what Mr. Madison, the Father of the Constitution, had to say about treaty making, the Senate has certainly coordinate power in the making of a treaty.

As I read the Constitution and the debates over these matters, I can understand why the making of treaties and the appointment of ambassadors went together in the Constitution. In the first place, it was intended that the Senate itself should make treaties. Then it was discovered that there should be some way of gathering the "intelligence"—and "intelligence" I put in quotation marks, because that was the word which was used—to get the information, to get the material. Then, when a treaty was formulated, it was to be turned over, in my judgment with the "intelligence," the material upon which the treaty was founded, to the Senate, in order that the Senate might make such changes and such modifications as it desired, or might determine that the treaty, as formulated, was a wise instrument and worthy of acceptance.

Mr. President, I agree fully with the Senator from Georgia in what he said just now to the Senator from Nevada, that the

President himself ought to be first in his desire to make public everything appertaining to this treaty. This should be done in order that there may not be a suspicion of hidden things, of secret understandings, of evasions, or of other secrets which might be imagined by the public.

I have seen in the press that one of our ambassadors, in his letters to the President, was very frank in describing Members of this body. According to the newspaper report I saw, he called one Member "unstable," and another "a pinhead," whatever that means. I do not care anything about that, and neither does any Member of the Senate care what any ambassador may have said about any Senator. If the application fits at all, the Senator under suspicion would laugh about it, as everybody else would.

But when I see in the press the intimation that there is a secret understanding that three or four of these cruisers which we are permitted to build under the treaty are not to be built, that there is a secret understanding that they are not to be constructed at all, and that the treaty as given to the public is not a true statement of exactly what will be carried out by our country, then I am deeply concerned, and the public ought to be.

I do not believe there are any statements or any provisions in these secret papers, so called, which amount to much. I do not believe that if we had them we would be changed in our course. But we have a right to have them, we are entitled to have them, and I am not so sure that as Senators we are exercising our constitutional and sworn duty unless we do have those papers in order that we may know exactly what they contain.

Mr. President, I remember a statement made by Mr. Cooley in his Constitutional Limitations.

Mr. BLAINE. Mr. President—

The PRESIDING OFFICER (Mr. GEORGE in the chair). Does the Senator from New York yield to the Senator from Wisconsin?

Mr. COPELAND. I yield.

Mr. BLAINE. I was absent during the debate on the so-called secret documents. I do not know whether the Senator from New York was present or not, but if he was present he can give me the information I am seeking. I understood from the newspaper reports of the debate that at least two Members of the Senate have had access to all of the papers and confidential communications relating to the negotiation of the treaty. Is that correct?

Mr. COPELAND. I heard the Senator from Pennsylvania [Mr. REED] say that the papers were in his office. I do not know that he said all of the papers, but he said the documents were in his office and that any Senator who cared to take oath or obligate himself not to breathe anything that he read in them would be permitted to see them. Am I right in that, may I ask the Senator from California?

Mr. JOHNSON. Mr. President, if the Senator will yield—

Mr. COPELAND. Certainly.

Mr. JOHNSON. That is substantially the statement of the Senator from Pennsylvania. My opinion is, however, that he did not seek to include the dispatches which passed between the Secretary of State or the office of the Secretary of State here and Ambassador Castle in Japan, or the dispatches and communications which passed between our delegation in London and Ambassador Castle in Japan. I think that his intention was to include the particular instruments which were mentioned in the documents that were put in the Record by the proponents of the treaty.

If the Senator will recall, the entire question arose from the fact that the proponents of the treaty put into the records of the Foreign Relations Committee a document wherein Premier MacDonald was quoted verbatim and wherein certain dispatches were referred to. It was insisted by myself that inasmuch as parts of the record had been put thus in evidence, we were entitled to the whole record. That was denied by certain very great authorities, but nevertheless that was our contention. The remainder of those documents have been denied the Foreign Relations Committee and have been denied the United States Senate.

Mr. BLAINE. Are the documents to which the Senator from California refers in the possession, or have they been in the possession of two Members of the Senate?

Mr. COPELAND. Of course, I can not answer that. I did think, and it was my understanding of what the Senator from Pennsylvania said, that certain documents were in his possession. I doubt if he said that all documents were in his possession, but such documents as he said were in his possession might be seen by any Senator who would give his obligation not to reveal their contents.

Mr. JOHNSON. The Senator from Pennsylvania said he had in his possession certain documents and that he would permit

certain Senators, under the seal of secrecy and in confidence, to see those documents. Yesterday he stated that certain Senators had availed themselves of that permission. I declined to avail myself of that permission.

Mr. COPELAND. Mr. President, I am sure it is quite clear to the Senator from Wisconsin that it is not a favor conferred upon a Senator, but it is his right to see the documents if he is going to vote advisedly upon the treaty.

Mr. BLAINE. Mr. President, will the Senator yield further?

The PRESIDING OFFICER. Does the Senator from New York yield further to the Senator from Wisconsin?

Mr. COPELAND. I do.

Mr. BLAINE. By what authority or by what pretense of authority does a Member of the Senate have possession of secret documents which he regards as confidential but whose contents he is willing to divulge to some other Senator? If they are confidential to the Senator while he was a commissioner or delegate, that confidence remains, and it seems to me that it is a violation of the responsibility of the commissioner in the matter, when he ceases to be a commissioner and again assumes his position as a Senator on the floor of the Senate, for him to offer to divulge their contents.

I have not heard the entire debate, and I rather assume that I may not have some information which is very material; but if a Senator who, at the time he was a member of the delegation to London, had the papers which were confidential, those papers remain confidential throughout the period of his commissionership, and when he ceases to be a commissioner and reassumes his position on the floor of the Senate as a Senator, then he occupies exactly the same position as any other Member of the Senate, and his authority to make known those confidential papers, as I view it, can no longer exist. He has ceased to be a commissioner. Confidence was shrouded about those documents while he was a commissioner.

If a Member of the Senate, having resumed his position on the floor of the Senate and having set aside his cloak as commissioner, divulges the contents of those documents to another Member of the Senate, it seems to me a very peculiar situation, at least peculiar in this, if the Senator will bear with me, that the treaty-making power, the treaty-negotiating power, declines to permit the Senate of the United States to have access to those papers, yet permits Members of the Senate who were the executive agents at the time those papers were confidential to have them. It seems to me we are in a most strange situation. It seems to me that the Executive alone can disclose the confidential documents. It confuses me somewhat and I would be glad to have that confusion dissipated, because I am very anxious to consider the treaty from the standpoint of all the facts and not merely some of the facts.

Mr. COPELAND. Of course, I see what the Senator has in mind, but I am merely a Senator who was not also a treaty maker and therefore can not answer his question.

I do not know how the Senator from Wisconsin feels about it or how any other Senator feels about it, but when I read what Madison and others who were in the convention of 1787 said about such a matter, it is perfectly clear to me that a Senator by right should be given every bit of information which the President had. We should have what one of the old writers called "the intelligence"; Senators should have that material in order that they may proceed wisely and in a fully informed manner to deal with the treaty. As I view it, it is clearly a constitutional right of the Senate to have the information.

When I was interrupted I was about to quote from Cooley's Constitutional Limitations.

When I was a very young man Mr. Cooley was a very old man, and we were friends. His sons were my friends. I read always with peculiar interest everything said by this great writer on constitutional law.

No citizen is exercising the full duty of his obligation as a citizen unless he is familiar with the Constitution. I notice in the galleries at this moment a fine body of young men in uniform. I feel that it is the duty of every one of those young men to have knowledge of the Constitution of our country. One who has that knowledge of the Constitution appreciates more than he otherwise would the significance of citizenship in our great country.

Mr. Cooley in his Constitutional Limitations said:

But when all the legitimate lights for ascertaining the meaning of the Constitution have been made use of, it may still happen that the construction remains a matter of doubt. In such a case it seems clear that everyone called upon to act where, in his opinion, the proposed action would be of doubtful constitutionality, is bound upon the doubt alone to abstain from acting. Whoever derives power from the Constitution to perform any public function is disloyal to that instrument, and

grossly derelict in duty, if he does that which he is not reasonably satisfied the Constitution permits. Whether the power be legislative, executive, or judicial, there is manifest disregard of constitutional and moral obligation by one who, having taken an oath to support that instrument, takes part in an action which he can not say he believes to be no violation of its provisions. A doubt of the constitutionality of any proposed legislative enactment should in any case be reason sufficient for refusing to attempt it; and, if legislators do not act upon this principle, the reasons upon which are based the judicial decisions sustaining legislation in very many cases will cease to be of force.

What better advice could be given any Senator than the advice of Judge Cooley in this particular?

I wish to make one other brief reference to Cooley's writings. In his work on the general principles of constitutional law, he said:

The Constitution itself never yields to treaty or enactment; it never changes with time, nor does it in theory bend to the force of circumstances. It may be amended according to its own permission; but while it stands, it is "a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times and under all circumstances." Its principles can not, therefore, be set aside in order to meet the supposed necessities of great crises. "No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government within the Constitution has all the powers granted to it which are necessary to preserve its existence, as has been happily proved by the result of the great effort to throw off its just authority."

When we hear from the President of the United States of the embarrassment which might come by reason of giving publicity to the material which he has at hand, I fear he has forgotten the advice of the wise man who said that the principles laid down in the Constitution can not—

Be set aside in order to meet the supposed necessities of great crises.

Mr. President, that is what one of our great legal lights has had to say about the duty of legislators and the universality of the obligations of the doctrines and principles laid down in the Constitution.

I was quoting from Mr. Madison, from the first number of the letters of Helvidius. It will be remembered that at the very beginning of our national life there arose discord between France and England. Naturally, because of the very recent events of the Revolutionary War and of our struggle for liberty, there was not the warmest feeling in this country toward England; but Mr. Hamilton did not share that feeling of hostility which was almost universal. He remained all through his life English in sympathy. I have no doubt that if he could have had his way he would have been glad, instead of the issuance of a proclamation of neutrality on the part of President Washington, to have thrown off entirely any obligation which we owed to France.

However, on the occasion of the issuance of the proclamation of neutrality, after the unpleasant experiences we had with Citizen Genét, Mr. Hamilton, in the letters of Pacificus, set out his defense of the proclamation, and, as I stated yesterday, Mr. Madison replied to those letters of Pacificus in a series of letters which are known as the letters of Helvidius.

In quoting from Madison I am doing so because in the first number of those letters he outlines so clearly and concisely the treaty-making power and the distribution of those powers between the President and the Senate that it seems to me the evidence presented is of great value to the Senate.

The letters which I hold in my hand were published during the lifetime of Mr. Madison and were said to have been corrected by his own hand. They were published in the city of Washington in May, 1818. To go back a few words, in order that we may have the connection, Mr. Madison says:

To see the laws faithfully executed constitutes the essence of the executive authority. But what relation has it to the power of making treaties and war; that is, of determining what the laws shall be with regard to other nations? No other, certainly, than what subsists between the powers of executing and enacting laws; no other, consequently, than what forbids a coalition of the powers in the same department.

I pass over the few other specified functions assigned to the President, such as that of convening the legislature, and so forth, which can not be drawn into the present question.

It may be proper, however, to take notice of the power of removal from office, which appears to have been adjudged to the President by the laws establishing the executive departments, and which the writer has endeavored to press into his service.

He refers, of course, to the writer of the letters of Pacificus, Mr. Hamilton:

To justify any favorable inference from this case it must be shown that the powers of war and treaties are of a kindred nature to the power of removal, or, at least, are equally within a grant of executive power. Nothing of the sort has been attempted nor probably will be attempted. Nothing can in truth be clearer than that no analogy, or shade of analogy, can be traced between a power in the supreme officer responsible for the faithful execution of the laws, to displace a subaltern officer in the execution of the laws, and the power to make treaties and to declare war, such as these have been found to be in their nature, their operation, and their consequences.

Thus it appears that by whatever standard we try this doctrine it must be condemned as no less vicious in theory than it would be dangerous in practice. It is countenanced neither by the writers on law, nor by the nature of the powers themselves, nor by any general arrangements or particular expressions or plausible analogies to be found in the Constitution.

Whence, then, can the writer—

That is Mr. Hamilton—

Whence, then, can the writer have borrowed it?

There is but one answer to this question.

The power of making treaties and the power of declaring war are royal prerogatives in the British Government, and are accordingly treated as executive prerogatives by British commentators.

We shall be more confirmed in the necessity of this solution of the problem—

Of course, it was not surprising, I presume, that Mr. Hamilton should have had fresh in his mind the British precedents. I have the greatest respect for the intellectual capacity of Mr. Hamilton, and I feel that this country owes him a great debt of gratitude in the adoption of the Constitution. I doubt exceedingly if my own State of New York would ever have voted to ratify the Constitution except for the letters embodied in the volume known as the Federalist. It will be recalled that they were addressed to the people of the State of New York. They made a very favorable impression upon the citizens of that State and undoubtedly had much to do with the action taken by New York in ratifying the Constitution. So I wish to make clear my great respect for what Mr. Hamilton did in the making of our country; but there can be no manner of doubt, as I see it, that he was extremely British in his thoughts.

To resume the reading from Mr. Madison:

We shall be the more confirmed in the necessity of the solution of the problem by looking back to the era of the Constitution and satisfying ourselves that the writer could not have been misled by the doctrines maintained by our own commentators on our own Government. That I may not ramble beyond prescribed limits, I shall content myself with an extract from a work which entered into a systematic explanation and defense of the Constitution, and to which there has frequently been ascribed some influence in conciliating the public assent to the Government in the form proposed.

Madison was modest in that statement, because he was making reference, of course, to the Federalist, and he shared with Hamilton in large part the preparation of those letters. To continue the quotation:

Three circumstances conspire in giving weight to this cotemporary exposition. It was made at a time when no obligations to persons or measures could bias; the opinion given was not transiently mentioned, but formally and critically elucidated. It related to a point in the Constitution which must consequently have been viewed as of importance in the public mind. The passage relates to the power of making treaties; that of declaring war, being arranged with such obvious propriety among the legislative powers as to be passed over without particular discussion.

And now Mr. Madison quotes from No. 75 of the Federalist, an article written by Mr. Hamilton. So the words which I now read are the words of Mr. Hamilton as found in that particular number of the Federalist:

Though several writers on the subject of government place that power [of making treaties] in the class of executive authorities, yet this is evidently an arbitrary disposition; for if we attend carefully to its operation it will be found to partake more of the legislative than of the executive characters, though it does not seem strictly to fall within the definition of either of them. The essence of the legislative authority is to enact laws, or, in other words, to prescribe rules for the regulation of the society, while the execution of the laws and the employment of the common strength, either for this purpose or for the common defense, seem to comprise all the functions of the executive magistracy. The power of making treaties is plainly neither the one nor the other—

This is a quotation from Mr. Hamilton—

The power of making treaties is plainly neither the one nor the other. It relates neither to the execution of the subsisting laws, nor to the enactment of new ones, and still less to an exertion of the common strength. Its objects are contracts with foreign nations, which have the force of law, but derive it from the obligations of good faith. They are not rules prescribed by the sovereign to the subject, but agreements between sovereign and sovereign. The power in question seems, therefore, to form a distinct department, and to belong probably neither to the legislative nor to the executive. The qualities elsewhere detailed as indispensable in the management of foreign negotiations point out the executive as the most fit agent in those transactions.

I want to repeat that because it brings out exactly the distinction which we are trying to make between that portion of the function of treaty making which belongs to the Executive and that portion of the treaty-making power which is the Senate:

The qualities elsewhere detailed as indispensable in the management of foreign negotiations—

The gathering of the intelligence, of the material, the preliminary negotiations to the formulation of a treaty—

point out the executive as the most fit agent in those transactions; whilst the vast importance of the trust and the operation of treaties as laws plead strongly for the participation of the whole or a part of the legislative body in the office of making them.

That is a quotation from Mr. Hamilton, from one of the letters of the Federalist. He makes clear what has been pointed out time and time again on this floor, that it is the business of the Executive to gather together the material, to make the preliminary negotiations, and then the business of the Senate to determine whether or not the formulation of the document is sufficient and proper in the light of the material gathered.

Who can doubt that? Who can question for a moment that the Senate has the right to this material—not only the right, but that it must have, in order to act intelligently and properly and wisely, all the material gathered by the Executive? That is what you had in mind, Mr. President (Mr. GEORGE in the chair), in what you said when speaking as the distinguished Senator from Georgia a few moments ago—that the Committee on Foreign Relations had a right to have this material, and in turn the Senate itself, in order that its judgment regarding the treaty should be determined on.

Then Mr. Madison continues:

It will not fall to be remarked on this commentary that whatever doubts may be started as to the correctness of its reasoning against the legislative nature of the power to make treaties, it is clear, consistent, and confident in deciding that the power is plainly and evidently not an executive power.

I do not know how words could be chosen to define more clearly the doctrine that it is the duty and function of the Senate itself to determine, in the last analysis, what shall be written in a treaty. It can not so determine unless it has before it all the material which made possible the formulation of the treaty in the first place.

Mr. Madison continues in the second number of the Letters of Helvidius, which I shall quote very briefly only a paragraph:

The doctrine which has been examined is pregnant with inferences and consequences, against which no ramparts in the constitution could defend the public liberty, or scarcely the forms of republican government. Were it once established that the powers of war and treaty are in their nature executive; that so far as they are not by strict construction transferred to the legislature, they actually belong to the executive; that, of course, all powers not less executive in their nature than those powers, if not granted to the legislature, may be claimed by the executive; if granted, are to be taken strictly, with a residuary right in the executive; or, as will hereafter appear, perhaps claimed as a concurrent right by the executive; and no citizen could any longer guess at the character of the government under which he lives; the most penetrating jurist would be unable to scan the extent of constructive prerogative.

So we face the question: Are we willing to turn over to the Executive all the functions which are ordinarily thought to belong to the Senate, and particularly to turn over to the Executive the sole right to determine what shall be written in a treaty?

Pretty soon I desire to quote from the late Senator Lodge, long a distinguished Member of this body, where at great length he has discussed the treaty-making power. As will be seen by the quotations which I hope to make, he said that in no sense is a treaty completed until it has passed the test of the study of the Senate; that it is in a state of flux, that it is subject to change, until this body has passed finally upon it.

How can this body pass upon the merits of the treaty unless it has before it all of the material used by those who first formulated the document? It stands to reason that that is impossible.

So, to repeat one sentence from Madison:

It will not fall to be remarked in this commentary that whatever doubts may be started as to the correctness of its reasoning against the legislative nature of the power to make treaties, it is clear, consistent, and confident in deciding that the power is plainly and evidently not an executive power.

When this treaty came before us it was natural for every Member of the Senate to inform himself as best he might regarding the fundamental principles involved in treaty making, in order that he might determine for himself what might be his attitude toward this particular treaty, and particularly the circumstances under which it is presented to the Senate. As is my own practice when I have occasion to consider any question involving the Constitution, I turn to the Federalist. I have done that because I find that frequently the Supreme Court of the United States, in rendering its decisions, quotes from the fathers. The intent of a legislative body has much to do with the interpretation of a law which it may have enacted; and so the intent of the framers of the Constitution can be best found by reference to the writings of those who formulated the Constitution.

The first article on the power of making treaties is No. 54 of the Federalist. I read this before I turned to see who wrote it. I confess that I did not get much comfort out of the reading of this number of the Federalist and you can see why. I quote from page 296, at the bottom of the page:

There are few who will not admit that the affairs of trade and navigation should be regulated by a system cautiously formed and steadily pursued, and that both our treaties and our laws should correspond with and be made to promote it. Is it of much consequence that this correspondence and conformity be carefully maintained, and they who assent to the truth of this position will see and confess that it is well provided for by making concurrence of the Senate necessary, both to treaties and to laws.

It was all right up to that point, but then the writer went on:

It seldom happens in the negotiation of treaties, of whatever nature, but that perfect secrecy and immediate dispatch are sometimes requisite. There are cases where the most useful intelligence may be obtained if the person possessing it can be relieved from apprehensions of discovery.

I think the President had read that when he sent his message to the Senate, saying that to give this material might close avenues of knowledge which would be useful in the future. So this writer said:

There are cases where the most useful intelligence may be obtained if the person possessing it can be relieved from apprehensions of discovery. Those apprehensions will operate on those persons, whether they are actuated by mercenary or friendly motives; and there doubtless are many of both descriptions who would rely on the secrecy of the President but who would not confide in that of the Senate and still less in that of a large popular assembly. The convention has done well, therefore, in so disposing of the power of making treaties that although the President must, in forming them, act by the advice and consent of the Senate yet he will be able to manage the business of intelligence in such a manner as prudence may suggest.

Of course, that statement is largely confirmatory of what I understand to be the attitude of the President toward giving us this material. I turned to see who wrote this, and I found that it was written by John Jay, the first Chief Justice, a very prominent citizen of my State, but he was not a member of the convention. He was not in the Constitutional Convention; so he was speaking by the book. He was speaking only by the document itself, just as we, if we are to place interpretation merely upon the word of the treaty before us, must speak by what is written there without regard to any secret evasions or limitations which may have appeared in the making of the treaty or secret understandings which may have been made regarding its terms.

Further study proved to me that Mr. Hamilton was not satisfied with what John Jay had said about the treaty-making power. In a later number of the Federalist reference was made to the subject by Mr. Hamilton, who was a member of the convention, not always there, but there enough to know what was going on; and in that respect I presume he is like Members of the Senate, not always in their seats; we are not always blessed by such a large and intelligent group of Senators as we have here at present, but every Senator is here enough to know what is going on, even though he may miss a roll call now and then.

Apparently Mr. Hamilton was not fully satisfied with what John Jay had said about treaty making. I read No. 75 of the *Federalist* and find that Hamilton had this to say:

With regard to the intermixture of powers, I shall rely upon the explanation heretofore given, of the true sense of the rule upon which that objection is founded; and shall take it for granted, as an inference from them, that the union of the executive with the senate, in the article of treaties, is no infringement of that rule. I venture to add, that the particular nature of the power of making treaties indicates a peculiar propriety in that union. Though several writers on the subject of government place that power in the class of executive authorities, but this is evidently an arbitrary disposition; for if we attend carefully to its operation it will be found to partake more of the legislative than of the executive characters, though it does not seem strictly to fall within the definition of either.

Mr. Hamilton makes practically the same statement regarding this joint action that Mr. Madison made in the letters of Helvidius. To continue the quotation from Hamilton:

The essence of the legislative authority is to enact laws, or, in other words, to prescribe rules for the regulation of the society; while the execution of the laws and the employment of common strength, either for this purpose or for the common defense, seem to comprise all the functions of the Executive Magistrate. The power of making treaties is plainly neither the one nor the other. It relates neither to the execution of the subsisting laws nor to the enacting of new ones, and still less to an exertion of the common strength. Its objects are contracts with foreign nations, which have the force of law, but derive it from the obligation of good faith. They are not rules prescribed by the sovereign to the subject, but agreements between sovereign and sovereign. The power in question seems, therefore, to form a distinct department, and to belong properly neither to the legislative nor to the executive. The qualities elsewhere detailed, as indispensable in the management of foreign negotiations, point out the executive as the most fit agent in those transactions; while the vast importance of the trust, and the operation of treaties as laws, plead strongly for the participation of the whole or a portion of the legislative body in the office of making them.

That was a part of the statement of Mr. Hamilton. It is no wonder that Mr. Madison quoted it in making stronger still his own argument that the function of the Executive in treaty making is almost exclusively the gathering of material.

We have a great Secretary of State. I have known him for many years and respect him highly. Sometimes in the heat of debate there are criticisms of him. I always resent them in my heart because I am extremely fond of our Secretary of State and feel that he has done his part well in bringing together the "intelligence," the materials on which this treaty has been founded. The criticism I have to pass is not upon the Secretary of State. The criticism I have to pass is upon the President, in that he fails to trust the Senate with the information which he has, information which might be of possible value to us in passing our judgment upon this instrument.

When I say that I say it of a man whom I respect and who has my friendship, if he will accept it. But I do think the President makes a dreadful mistake if he fails to place before the Senate material which will aid us in determining whether or not this treaty should be ratified. If there is nothing to conceal, there is no reason why the material should not be given. If there is anything to conceal, or if the President thinks it is of doubtful propriety to give it to the public, let us pass judgment on that and share with him or, if need be, take full responsibility for any publicity which may be given to such material.

I quote further from Mr. Hamilton:

However proper or safe it may be in governments where the executive magistrate is an hereditary monarch to commit to him the entire power of making treaties, it would be utterly unsafe and improper to intrust that power to an elective magistrate of four years' duration.

That is pretty good, coming from Hamilton. That might have come from a Democrat. I continue the quotation:

It has been remarked upon another occasion, and the remark is unquestionably just, that an hereditary monarch, though often the oppressor of his people, has personally too much at stake in the government to be in any material danger of being corrupted by foreign powers; but that a man raised from the station of a private citizen to the rank of chief magistrate, possessed of but a moderate or slender fortune, and looking forward to a period not very remote when he may probably be obliged to return to the station from which he was taken, might sometimes be under temptations to sacrifice duty to interest, which it would require superlative virtue to withstand. An avaricious man might be tempted to betray the interest of the state for the acquisition of wealth. An ambitious man might make his own aggrandizement by

the aid of a foreign power the price of his treachery to his constituents. The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in a nation to commit interests of so delicate and momentous a kind as those which concern its intercourse with the rest of the world to the sole disposal of a magistrate created and circumstanced as would be a President of the United States.

Mr. President, what stronger argument could possibly be used? It is no reflection upon our present great Chief Magistrate, but it was the wisdom of the fathers that there should be such a division of power in the making of treaties; that it should not be left solely to one man. Mr. Hamilton has concisely and eloquently made clear the reasons why. He said:

The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in a nation to commit interests of so delicate and momentous a kind as those which concern its intercourse with the rest of the world to the sole disposal of a magistrate created and circumstanced as would be a President of the United States.

He continued:

To have intrusted the power of making treaties to the Senate alone would have been to relinquish the benefits of the constitutional agency of the President in the conduct of foreign negotiations. It is true that the Senate would, in that case, have the option of employing him in this capacity; but they would also have the option of letting it alone, and pique or caval might induce the latter rather than the former. Besides this, the ministerial servant of the Senate could not be expected to enjoy the confidence and respect of foreign powers in the same extent with the constitutional representative of the Nation, and, of course, would not be able to act with an equal degree of weight of efficacy. While the Union would, from this cause, lose a considerable advantage in the management of its external concerns, the people would lose the additional security which would result from the cooperation of the Executive. Though it would be imprudent to confide in him solely—

He goes back to the same subject again:

Though it would be imprudent to confide in him solely so important a trust, yet it can not be doubted that his participation would materially add to the safety of the society. It must, indeed, be clear to a demonstration that the joint possession of the power in question by the President and Senate would afford a greater prospect of security than the separate possession of it by either of them. And whoever has materially weighed the circumstances which must concur in the appointment of a President will be satisfied that the office will always bid fair to be filled by men of such characters as to render their concurrence in the formation of treaties peculiarly desirable, as well on the score of wisdom as on that of integrity.

Mr. Hamilton makes clear that it was the intention of the founders of the Government, the intention of the delegates to the Constitutional Convention of 1787, to designate the President as the one to negotiate, to gather the material, the information, the "intelligence," to bring together the material which he would turn over to the Senate. His duty is to do this in order that the Senate might determine whether or not the instrument passed to the Senate was the proper instrument in view of the negotiations made by the President.

Mr. President, to me it is so clear that I can not understand why anybody should take the opposite view. The fact that we passed a resolution such as we did in the Senate is an indication that that is the sentiment of the Senate. That action shows we believe we should have this material, and we should have it. One of the thoughts I have in mind is to try to do what I can to induce the President to give us this material in order that we may pass upon this treaty with full information of what every item in it really means.

Mr. Hamilton continued in this number of the *Federalist*:

The remarks made in a former number—

And he refers to the number which I read as coming from the pen of Mr. Jay—

The remarks made in a former number will apply with conclusive force against the admission of the House of Representatives to a share in the formulation of treaties. The fluctuating, and, taking its future increase into the account, the multitudinous composition of that body, forbid us to expect in it those qualities which are essential to the proper execution of such a trust. Accurate and comprehensive knowledge of foreign politics; a steady and systematic adherence to the same views; a nice and uniform sensibility to national character; decision, secrecy, and dispatch are incompatible with the genius of a body so variable and so numerous. The very complication of the business, by introducing a necessity of the concurrence of so many different bodies, would of itself afford a solid objection. The greater frequency of the calls upon the House of Representatives and the greater length of time which it would often be necessary to keep them together when convened, to obtain their

sanction in the progressive stages of a treaty would be a course of so great inconvenience and expense, as alone ought to condemn the project.

In other words, Mr. Hamilton took the position that secrecy and dispatch would not be possible if so large a body were brought together. The implication is that the Senate being a smaller body, as it was likely to continue to be, the President might properly place before it any material which he has in his hands.

Mr. President, I have quoted extensively particularly from Mr. Madison. I think we have every right to call Mr. Madison the Father of the Constitution. Certainly no one will dispute his large part in the building of that instrument. There were more brilliant men in the convention than Mr. Madison. Probably he was surpassed in intellect by Mr. Hamilton, perhaps by James Wilson, but what Mr. Madison lacked in imagination he made up in good sense. No one can read the debates without recognizing Madison's preeminence in the constitutional convention. Every student of those events must decide that he is indeed the Father of the Constitution.

A little while ago the Senator from Tennessee [Mr. McKEL-LAR] paid a tribute to Thomas Jefferson. It was a beautiful tribute and a deserved one, as I see it. I wonder if it has ever occurred to the Senator how much Mr. Jefferson may have influenced Mr. Madison? They were neighbors down in Virginia, living quite near together. Mr. Madison was 8 or 10 years younger than Mr. Jefferson. They were kindred souls in their love of books. They were students of history, philosophy, and government. I have no doubt that Mr. Madison sat at the feet of Jefferson as Saul sat at the feet of Gamaliel. I have no doubt Mr. Madison absorbed from Mr. Jefferson many of his ideas of government. While Jefferson was absent in person in France at the time of the Constitutional Convention, I have no doubt he was in the convention in spirit. From those two Virginians, Mr. Madison and his godfather, Mr. Jefferson, has come much that we now find in the Constitution.

I have quoted at length from Madison's letters of Helvidius because of the light they shed upon the treaty-making power and the relative responsibilities of President and Senate. No better authority can be found.

Mr. President, it is perfectly clear to me from what I have heard in this body, from my own reading, and from what the fathers have said that there is concurrent authority, to say the least, in the President and the Senate in the making of treaties. We have recognized our relationship to the Executive in matters which occur in this body. I find that Rule XXXIX of the Senate provides as follows:

The President of the United States shall from time to time be furnished with an authenticated transcript of the executive records of the Senate, but no further extract from the Executive Journal shall be furnished by the Secretary, except by special order of the Senate; and no paper, except original treaties transmitted to the Senate by the President of the United States and finally acted upon by the Senate, shall be delivered from the office of the Secretary without an order of the Senate for that purpose.

The President has knowledge of everything that we do here. In the last year or so we have had no closed executive sessions, but when we had closed executive sessions, when the official reporters were excluded and there was no stenographic record made to be given to the public, there were authenticated records made by the Secretary of the Senate and transmitted to the President. This is the rule so that he may know what is done in our closed executive sessions. I think that is right. The President has knowledge all the time of what we do relative to treaties. If we were to have a closed executive session to-day, he would be given a report of our actions. We have tried always to have that spirit of cooperation between the Executive and the Senate that makes for cordial relationship and for good government. I can not for the life of me see why the President should possibly object to our having just as full and complete information as he has, to our having all the material that he has, in order that we might reach the conclusion that he has reached that the treaty is as it should be.

A little while ago I made reference to the fact that our late colleague, Henry Cabot Lodge, had written upon the subject of the treaty-making powers of the Senate. In Scribner's Magazine for January, 1902, at page 33, is an article from his pen, *The Treaty-making Powers of the Senate*, by Henry Cabot Lodge, Senator from Massachusetts. I wish to make reference to some of the statements written here by Senator Lodge. I find, for instance, this language:

The obvious fact that the President must be the representative of the country in all dealings with foreign nations and that the Senate in its very nature could not, like the Chief Executive, initiate and conduct negotiations, compelled the convention to confer upon him an equal share in the power to make treaties.

Senators will recall what happened in the convention, and then, having that in mind, they will see how well chosen were his words "compelled the convention to confer upon him an equal share in the power to make treaties." It was not the intention of the Constitutional Convention in the early days and weeks of its deliberations to give the treaty-making power to the President. It was proposed to have that retained by the Congress and probably by the Senate. But as the debates continued it became very apparent that the Senate was in no position to enter into the negotiations. The President appointed the ambassadors and the ministers, and his Secretary of State came in contact with the diplomatic representatives of other countries. The Senate itself, except through a committee, a very awkward way of transacting business, had no means of gathering the material, and so, as Senator Lodge said:

The obvious fact that the President must be the representative of the country in all dealings with foreign nations and that the Senate in its very nature could not, like the Chief Executive, initiate and conduct negotiations, compelled the convention to confer upon him an equal share in the power to make treaties. This was an immense concession by the States, and they had no idea of giving up their ultimate control to a President elected by the people generally. Here, therefore, is a reason for the provision in the Constitution which makes the consent of the Senate by a two-thirds majority necessary to the ratification of any treaty projected or prepared by the President. The required assent of the Senate is the reservation to the States of an equal share in the sovereign power of making treaties which before the adoption of the Constitution was theirs without limit or restriction.

That is, under the federation the making of treaties was in the hands of the States, but in planning the new system it was found, as I have said, that there was no expeditious or effective way of getting the information except by the activities of the President. Giving to him a share in the making of the treaties was, as Lodge said, a great concession on the part of the States, because the States then were much more jealous of their rights than they are to-day, I am sorry to say.

Here—

Senator Lodge says—

therefore, is the reason for the provision of the Constitution which makes the consent of the Senate by a two-thirds majority necessary to the ratification of any treaty projected or prepared by the President. The required assent of the Senate is the reservation to the States of an equal share in the sovereign power of making treaties which before the adoption of the Constitution was theirs, without limit or restriction.

Senator Lodge continues:

The Senate being primarily a legislative body can not in the nature of things initiate a negotiation with another nation, for they have no authority to appoint or to receive ambassadors or ministers. But in every other respect under the language of the Constitution, and in the intent of the framers, they stand on a perfect equality with the President in the making of treaties. They have an undoubted right to recommend either that a negotiation be entered upon, or that it be not undertaken, and I shall show presently that this right has been exercised and recognized in both directions.

A day or two ago the Senator from Tennessee [Mr. McKEL-LAR] called attention to the action of President John Adams in a message dated December 15, 1800, addressed as follows:

Gentlemen of the Senate:

I transmit to the Senate, for their consideration and decision, a convention, both in English and French, between the United States of America and the French Republic, signed at Paris on the 13th day of September last, by the respective plenipotentiaries of the two powers. I also transmit to the Senate three manuscript volumes containing the journal of our envoys.

JOHN ADAMS.

It seems that this did not quite satisfy the Senate, and so, on the 19th of December, the Senate adopted a resolution asking for all the negotiations, the dispatches and letters and communications which passed between the parties. Then Mr. Adams sent a second message on December 22, 1800, as follows:

Gentlemen of the Senate:

In conformity with your request in your resolution of the 19th of this month, I transmit you the instructions given to our late envoys extraordinary and ministers plenipotentiary to the French Republic.

It is my request to the Senate that these instructions may be considered in strict confidence and returned to me as soon as the Senate shall have made all the use of them they may judge necessary.

JOHN ADAMS.

Why could not President Hoover have intrusted us with the papers in the case of the London treaty? Even in our resolution we suggested that the President might make any recom-

mentation he desired as to how they should be used; and President Adams, on his own account, in his letter of December 22, 1800, suggested "that these instructions be considered in strict confidence and returned to me as soon as the Senate shall have made all the use of them they may judge necessary." So there is nothing new in the request of the Senate for the original documents. What is new about the situation is the refusal of the President to send the material.

In looking over the work entitled "Treaties, Conventions, International Acts, Protocols," and so forth, by Malloy, I find that in 1899 the House of Representatives adopted a resolution asking the President to transmit to it "if not incompatible with the public service, such correspondence as may have passed between the Department of State and various foreign governments concerning the maintenance of the 'open door' policy in China." On the 27th of March President McKinley sent all the material, which takes pages and pages in this great volume, so that the House might have for its information all the valuable information concerning that matter.

Mr. President, we are certainly entitled to have the material in connection with the London naval treaty in order that we may wisely act on it.

Senator Lodge, in his article, following what I have already quoted, referred to the contacts between the Senate and President Washington on various occasions when he came in person to the Senate Chamber to confer with the Senators as to what should be the procedure with reference to certain treaties, particularly with the Indians. I quote further from the article of Senator Lodge, as follows:

On February 14, 1791, a message was sent in which illustrates, in a very interesting way, how close the relations were between the Senate and the President in all matters relating to treaties, and how completely Washington recognized the right of the Senate to advise with him in regard to every matter connected with our foreign relations. In this message he explained his sending Gouverneur Morris in an unofficial character to England in order to learn whether it were possible to open negotiations for a treaty, and with the message he sent various letters, so that the Senate might be fully informed as to all this business, which was, in its nature, entirely secret and unofficial.

So the evidence piles up that it was the intention of the founders of the Government, and was the actual practice in the early days of the Republic, to have all the treaty material, secret and unofficial, given to the Senate.

At another point Mr. Lodge says:

It is not necessary to multiply instances under our first President. Those cases which have been quoted show how Washington interpreted the Constitution which he had so largely helped to frame. It is clear that in his opinion, and in that of the Senate, which does not appear to have been controverted by anybody, the powers of the Senate were exactly equal to those of the President in the making of treaties, and that they were entitled to share with him at all stages of a negotiation.

How plain and clear it is that the Senate has the right to have the information which we should have in dealing with the instrument before us.

I find, according to the article of Senator Lodge, that—

On December 6, 1797, President Adams, in submitting an Indian deed, which was the form taken by the treaty, suggested that it be conditionally ratified; that is, that the Senate should provide that the treaty should not become binding until the President was satisfied as to the investment of the money, and the resolution was put in that form. This is interesting, because it is the first case where the President himself suggests an amendment to be made by the Senate.

I quote further from the same article, as follows:

May 6, 1830, President Jackson, in a message relating to a treaty proposed by the Choctaw Indians, asked the Senate to share in the negotiations in the following words: "Will the Senate advise the conclusion of a treaty with the Choctaw Nation according to the terms which they propose? Or will the Senate advise the conclusion of a treaty with that tribe as modified by the alterations suggested by me? If not, what further alteration or modification will the Senate propose?"

There is much difference between the position taken by the Executive at that time and the attitude of the present administration, which apparently is to the effect, "There is the treaty; there it stands; take it or leave it." How can the Senate help but feel resentful when it is whipped into line, when the lash is cracked over its head, and when Senators are called from wedding trips and from foreign lands to come here and vote for the treaty?

To continue the quotation from Mr. Lodge:

President Jackson then goes on to give his reasons for thus consulting the Senate. The passage is of great interest because it not only states the change of practice which had taken place since Wash-

ton's time in regard to consulting the Senate before or during a negotiation but recognizes fully that although reasons of convenience and expediency had led to the abandonment of consultation with the Senate prior to a negotiation, yet it was an undoubted constitutional right of the President to so consult the Senate, and of the Senate to take part, if it saw fit, at any stage of a negotiation. President Jackson says:

"I am fully aware that in thus resorting to the early practice of the Government, by asking the previous advice of the Senate in the discharge of this portion of my duties, I am departing from a long, and for many years unbroken, usage in similar cases. But being satisfied that this resort is consistent with the provisions of the Constitution, that it is strongly recommended in this instance by considerations of expediency, and that the reasons which have led to the observance of a different practice, though very cogent in negotiation with foreign nations, do not apply with equal force to those made with Indian tribes, I flatter myself that it will not meet the disapprobation of the Senate."

On February 10, 1854, President Pierce sent to the Senate the Gadsden treaty, signed by the plenipotentiaries on December 30, 1853, and with it certain amendments which he recommended to the Senate for adoption before ratification. It would be difficult to find a better example than this, not merely of the right of the Senate to amend but of the fact that Senate amendments are simply a continuance of the negotiations begun by the President.

At various points along this part of the article Senator Lodge speaks of the continuance of the negotiations and of the fact that the treaty is not finished, it is not complete, until we find the action of the Senate itself.

From these various examples it will be seen that the Senate has been consulted at all stages of negotiations by Presidents of all parties, from Washington to Arthur. It will also be observed that the right to recommend a negotiation by resolution was exercised in 1835 and again in 1858, and was unquestioned by either Jackson or Cleveland, who were probably more unfriendly to the Senate and more unlikely to accede to any extension of Senate prerogatives than any Presidents we have ever had. It will be further noted that the Senate in 1862 advised against the Mexican negotiation, and that President Lincoln frankly accepted their decision and did not even ask that the treaties which had been actually made meantime should be considered with a view to ratification.

The power of the Senate to amend or to ratify conditionally is, of course, included in the larger powers expressly granted by the Constitution to reject or confirm. It would have never occurred to me that anyone who had read the Constitution and who possessed even the most superficial acquaintance with the history of the United States could doubt the right of the Senate to amend. But within the last year I have seen this question raised, not jokingly, so far as one could see, but quite seriously. It may be well, therefore, to point out very briefly the law and the facts as to the power of the Senate to amend or alter treaties.

I think that matter is now well understood and accepted—that the Senate has the right to amend a treaty. But Lodge makes clear, as Hamilton and Madison did in their writings, that the Senate has not only concurrent power but that it should have like information and just as much information as the President had from his negotiators in the formulation of the treaty.

In the conclusion of his article Senator Lodge says:

The results of the preceding inquiry can be easily summarized. Practice and precedent, the action of the Senate and of the Presidents and the decision of the Supreme Court show that the power of the Senate in the making of treaties has always been held, as the Constitution intended, to be equal to and coordinate with that of the President, except in the initiation of a negotiation which can of necessity only be undertaken by the President alone. The Senate has the right to recommend entering upon a negotiation or the reverse, but this right it has wisely refrained from exercising, except upon rare occasions. The Senate has the right to amend, and this right it has always exercised largely and freely. It is also clear that any action taken by the Senate is a part of the negotiation, just as much so as the action of the President through the Secretary of State. In other words, the action of the Senate upon a treaty is not merely to give sanction to the treaty but is an integral part of the treaty making, and may be taken at any stage of a negotiation.

How can we talk about making a treaty if the treaty is handed to us ready-made?

Mr. Lodge says:

It has been frequently said of late that the Senate in the matter of treaties has been extending its powers and usurping rights which do not properly belong to it. That the power of the Senate has grown during the past century is beyond doubt, but it has not grown at all in the matter of treaties. On the contrary, the Senate now habitually leaves in abeyance rights as to treaty making which at the beginning

of the Government it freely exercised, and it has shown in this great department of executive government both wisdom and moderation in the assertion of its constitutional powers.

This is not the place to discuss the abstract merits of the constitutional provisions as to the making of treaties. Under a popular government like ours it would be neither possible nor safe to leave the vast powers of treaty making exclusively in the hands of a single person.

That is the same point that was made so strongly by Mr. Hamilton, that this ought not to be the power of a single person, of the Executive; that it is unsafe in a democracy to leave such great power in the hands of one man. And so Senator Lodge emphasizes that, saying:

It would be neither possible nor safe to leave the vast powers of treaty making exclusively in the hands of a single person. Some control over the Executive in this regard must be placed in the Congress, and the framers of the Constitution intrusted it to the representatives of the States. That they acted wisely can not be questioned, even if the requirement of the two-thirds vote for ratification is held to be a too narrow restriction. These, however, are considerations of no practical importance, and after all only concern ourselves. Our system of treaty making is established by the Constitution and has been made clear by long practice and uniform precedents. The American people understand it and those who conduct the government of other countries are bound to understand it, too, when they enter upon negotiations with us. There is no excuse for any misapprehension. It is well also that the representatives of other nations should remember, whether they like our system or not, that in the observance of treaties during the last 125 years there is not a nation in Europe which has been so exact as the United States, nor one which has a record so free from examples of the abrogation of treaties at the pleasure of one of the signers alone.

This is a wonderful tribute to the care, the punctiliousness, with which we have observed our treaties.

Mr. President, from my standpoint this question does not involve any idea of maintaining the "dignity" of the Senate. I never could get excited over that. I never can tolerate the attitude that my dignity demands this or my dignity demands that. That is all foolishness, as I see it. I am not interested in this matter then, because the dignity of the Senate is involved. There is a belief in many quarters, however, expressed by a portion of the press, that it is the duty of the Senate to ratify the treaty at once and go home. I saw a letter two or three days ago from a Member of the House, addressed to a Senator—and I am fond of the man who wrote the letter—expressing the sentiment that it is our business to ratify the treaty and go home.

I have a different idea about the duty of the Senate. Nobody is more anxious to go home than I am, and I have a good home to go to, one that I really want to see. But, as I quoted a little while ago from Judge Cooley, it is our duty, when there is any question devolving upon us, to resolve it in accordance with what we believe to be the constitutional way.

If the testimony of these witnesses whom I have called here to-day—Mr. Hamilton and Mr. Jefferson and Senator Lodge—means anything, it means that the Senate has the right to see these so-called secret documents. It has a right to know about any reservations which may or may not have been made. It has a right to know whether means are suggested for evasion of the letter of the treaty. As I said a little while ago, for the President's own peace of mind, I think he should give us these papers, with a recommendation as made by President Adams, if he so desires, that they are to be maintained in secret by the Senate as a body. Then, if the Senate of its own accord sees fit to give publicity to them, it is the fault of the Senate.

The Senate must carry the responsibility. I wish, however, the President might come to feel that he could trust us sufficiently to make this coordinate factor in treaty making as well informed as he is himself.

I said a little while ago, too, that I am not concerned about any gossip which may be in these letters, or any facetious comments which may be found in the cable messages. We only laugh about those things. But we do wish to know whether there are implied or express reservations, or secret evasions, which are not set out in the written treaty.

I have seen, and doubtless others have seen, a story to the effect that there is an understanding that three cruisers which we might build under the letter of the treaty will actually not be built. I do not believe that is in any secret understanding to that effect. Yet it has been stated, and we ought to know whether it is true or untrue. The President ought to make clear whether such a statement is true or untrue.

Personally, I have no suspicion that anything of importance is hidden in these papers. But as one representative of a sovereign State, a Senator with his share of the concurrent author-

ity of the Senate, I have a right to see the documents and determine for myself whether or not the record is clear.

There is no unfriendliness to the Executive in this. I respect the President. I am so good a friend that I would gladly volunteer to share his burdens. But in this particular matter it is my duty to demand, with all respect, that, as is my sworn obligation, I share the burden and responsibility of passing upon the merits, not of the treaty itself alone but of its foundation, too. To this end, as a representative of a sovereign State, I have a right to ask to be given what I believe to be my constitutional right, an opportunity to inspect all the documents bearing upon the matter before the Senate.

In spite of the President's refusal it does seem as if sober second thought would lead him to comply with our request for the papers. It is a sad commentary upon the treaty-making system that the Senate is forced to put its approval on the pending instrument with reservations which hint of secret understandings. There certainly is in the pending reservation the hint that the Senate thinks there is a secret understanding.

We should not ratify a treaty if we have in our minds even the very remote thought that there is something wrong back of it. Even though we may be convinced intellectually that all is right, there is always the suggestion, a deep-down feeling, that perhaps something is hidden.

If the Senate ratifies the treaty with this reservation, upon the "understanding" that there are no hidden features, no secret evasions, and no limitations, it is exactly as if we were giving a quit-claim deed to the limitation and reduction of naval armaments. The abstract of title of a treaty of this sort is clouded. We should not be in the position of giving a quit-claim deed. We should be able to give a warranty deed.

To put it mildly, the situation is an unhappy one for me or for any other Senator who might wish to vote for the treaty. It is almost impossible to do so. The President should clear the way. It is not yet too late. I wish my tongue might be touched with some fire of eloquence to make it possible for me to utter words which would induce the President to send to us those papers in order that we might see for ourselves that the treaty is pure gold. Then, instead of giving a quit-claim deed to naval limitation, we could whole-heartedly give a warranty deed, guaranteeing to all the world that this treaty is exactly what appears on its face.

If we could ratify the treaty under those circumstances, it would go far. But, to my mind, to ratify it under other circumstances will hinder the cause of international peace.

INVESTIGATION BY TARIFF COMMISSION—OILS

Mr. SHEPPARD. Mr. President, as in legislative session I offer a resolution asking for certain information from the Tariff Commission regarding oils, and I ask for its present consideration.

The resolution (S. Res. 323) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the United States Tariff Commission is hereby instructed and directed to prepare and submit to Congress a detailed study of the costs of production and of transportation to the principal consuming markets of the United States of the following commodities, namely: Coconut oil and copra from the Philippine Islands and other principal producing regions, palm oil, palm-kernel oil, whale oil, rapeseed oil, perilla oil, and sesame oil. Also a statement of the principal uses of these oils in the United States and of the kinds and amounts of domestic oils and fats replaced in domestic industry by such imports.

INVESTIGATION BY TARIFF COMMISSION—OLIVE OIL, CHEESE, ETC.

Mr. COPELAND. Mr. President, I send forward, as in legislative session, a similar resolution and ask for its present consideration.

The resolution (S. Res. 324) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles or products and of any like or similar foreign articles or products: Olive oil; cheese; cherries, sulphured or in brine; canned tomatoes and tomato paste; confectionery and chocolates; laminated products in sheets (par. 1539 b).

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament, signed at London, April 22, 1930.

Mr. REED. Can the Senator from California tell us of any other Senator who wishes to speak on the pending treaty this evening?

Mr. JOHNSON. At present, none.

Mr. REED. It is 7 minutes to 5, and I move that the Senate stand in recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 53 minutes p. m.) the Senate took a recess until to-morrow, Thursday, July 17, 1930, at 11 o'clock a. m.)

SENATE

THURSDAY, July 17, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The VICE PRESIDENT. The Senate resumes the consideration of the naval treaty.

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Goldsborough	McMaster	Shortridge
Bingham	Gould	McNary	Smoot
Black	Greene	MeCaff	Stephens
Blaine	Hale	Norris	Sullivan
Borah	Harris	Oddie	Swanson
Capper	Hastings	Overman	Thomas, Idaho
Caraway	Hatfield	Patterson	Thomas, Okla.
Copeland	Hebert	Phipps	Townsend
Couzens	Johnson	Pine	Trammell
Dale	Jones	Reed	Vandenberg
Denen	Kean	Robinson, Ark.	Wagner
Fess	Kendrick	Robinson, Ind.	Walcott
Fletcher	Keyes	Robison, Ky.	Walsh, Mass.
George	La Follette	Schall	Walsh, Mont.
Gillett	McCulloch	Sheppard	Watson
Glenn	McKellar	Shipstead	

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORBECK] is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASER] are detained from the Senate by illness in their families.

I also announce that the Senator from Arizona [Mr. ASHURST], the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. CONNALLY], and the Senator from Kentucky [Mr. BARKLEY] are absent on official business, attending sessions of the Interparliamentary Union in London.

Mr. SWANSON. My colleague the junior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. FESS. I desire to announce that the junior Senator from North Dakota [Mr. NYE] is detained on business of the Senate, attending sessions of the special committee to investigate campaign expenditures. I will let this announcement stand for the day.

Mr. KEYES. I desire to announce that my colleague the senior Senator from New Hampshire [Mr. MOSES] is absent from the Senate on account of a death in his family. I ask that this announcement may stand for the day.

Mr. NORRIS. I desire to announce that my colleague the junior Senator from Nebraska [Mr. HOWELL] is absent from the Senate on account of illness in his family.

The VICE PRESIDENT. Sixty-three Senators have answered to their names. A quorum is present.

Mr. WATSON. Mr. President, with the kind permission of the Senator from California [Mr. JOHNSON], I would like to ask him whether or not he is ready at this time to agree on a time to vote?

Mr. JOHNSON. He is not.

Mr. WATSON. I would like to ask the Senator whether or not, beginning next Tuesday morning at 11 o'clock, he is willing to fix a limitation of 10 minutes on debate for each individual Senator on each reservation and the treaty itself?

Mr. JOHNSON. He is not.

Mr. WATSON. I desire to serve notice now that we will have a session on Saturday.

Mr. JOHNSON. May I suggest to the Senator that we meet also on Sunday?

Mr. WATSON. Yes; the Senator may suggest that, but, as he treated my suggestion to him, I do not agree. That will give Thursday, Friday, Saturday, and Monday in which the opponents of the treaty may have additional time in which to express themselves. I have no desire—

Mr. JOHNSON. I simply want to thank the Senator from Indiana for his kindness. I appreciate beyond words that he will give us until Monday next in which to express ourselves.

Mr. WATSON. I am glad the Senator is so thoroughly satisfied with the situation. The truth is that a clear majority and a very heavy majority are in favor of a vote. There has been no desire at any time to shut off debate, but it became very evident yesterday that there is quite a bit of talking indulged in for the purpose of killing time. There is no desire on the part of the majority—and I have discussed it with many of them—to shut off any legitimate debate, but there is a desire to prevent talking for the express purpose of dissipating a quorum. Having a clear majority, we do not intend that that shall be done.

Mr. JOHNSON rose.

Mr. WATSON. Does the Senator desire to ask me a question?

Mr. JOHNSON. No; I do not want to ask a question. When the Senator concludes I shall proceed.

Mr. WATSON. That is the situation. Of course, if we have the majority that I think we have, we shall then have to resort to the only method we have left to us of closing debate.

Mr. ROBINSON of Indiana. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to his colleague?

Mr. WATSON. Certainly.

Mr. ROBINSON of Indiana. I am wondering who it was that was talking to kill time yesterday.

Mr. WATSON. I do not like to mention any names. I do not know whether my colleague was on the floor yesterday.

Mr. ROBINSON of Indiana. There were three speeches made yesterday, I believe, and I wondered if my colleague would state where the time killing took place. As a matter of fact, all speeches kill time. I do not know how much good they do so far as convincing other Members of the Senate is concerned. I have a notion, however, that those who do speak are anxious that the country should know what their views are. Here is a matter which has been before the Senate now for less than two weeks, and it would seem almost impossible that much time could be killed in that short space of time when the country is simply being told what the treaty contains and the reasons some of us have for being opposed to it.

Whether speeches were made yesterday for it or against it, I am not certain, because I was not in the Chamber all the time, but I think it rather difficult to say that time is being killed deliberately when less than two weeks have been spent in the consideration of a treaty which changes all the naval relations of the United States with the two most prominent naval powers of the world.

Mr. WATSON. Mr. President, I understand the importance of the treaty. Every Senator here understands the importance of it. Every Senator here now has his mind made up definitely as to how he is going to vote on the question. So far as influencing the Senate is concerned, I do not think debate will change votes. No one has at any time sought to cut off legitimate debate. I shall not mention names, and my colleague knows I should not, but it is true that on yesterday a speech was made for the express purpose of delaying action until another Senator arrives in the city. We were told so in express terms. I do not desire to mention any names, but I can do so if pressed on the subject.

All I want to say is that if the Senator from California [Mr. JOHNSON], having charge of the opposition, will agree that on Tuesday we may begin a limitation of debate, as a matter of course we will not seek to apply cloture. That would give the opposition Thursday, Friday, Saturday, and Monday, in addition to the days they have had, and it would simply mean that the same Senators who have spoken hitherto will speak again. That is all right, but we can not sit here interminably to permit the same Senators to speak when the great majority are ready to vote.

Mr. JOHNSON. Mr. President, my distinguished friend from Indiana speaks for the great majority of the Senate. I do not doubt in the slightest degree that he is speaking for the great majority of the Senate, and I do not doubt that I may be in a very woeful minority in the Senate; but I am engaged in a task here concerning this treaty that far transcends in importance the leadership of the Senator from Indiana upon this side—or any other man's personality. The contest in which I am engaged will receive from me the best that is in me. I ask no quarter from any source or under any circumstances. I know no other way to fight when I am fighting for my country than, if necessary, to die; and I am willing, sir, so far as this debate is concerned and the treaty is concerned, that the Senator from Indiana and the great majority for whom he speaks in this body may do just exactly as they please.

I am asking no favors of any man upon this floor or of any majority, even if I am standing here all alone. I will protect what rights I have as best I can, and I will present, God willing, just as long as I am able, to the people of the United States the inequities and the iniquities of a treaty that deals with their future and with their defense. So

Lay on Macduff;
And damn'd be him that first cries, "Hold, enough!"

I am going to the bat just as hard as I can in the contest that I am waging. Go on with your majority; put on your cloture if you wish to put it on. The only times in reality, save possibly once, that cloture has been put on in this body has been when we were acting in behalf of some foreign adventure or misadventure. Let cloture be put on now in this adventure that is foreign in character which is before the Senate. I make no agreement; I stand here upon my rights. I will go on as best I can, and when God no longer permits me to stand upon my feet or express myself upon this treaty I will take my medicine as I have been accustomed to do always in the past whenever any occasion should arise. So, move on, sir, with your cloture. Do it on a treaty that affects our Republic and that deals with our national defense.

Mr. HALE. Mr. President, I should like to ask the Senator from Indiana a question.

Mr. WATSON. I will be glad to answer the Senator.

Mr. HALE. I understand the Senator from Indiana has said that if an agreement shall not be reached before next Tuesday to limit debate to 10-minute speeches the Senator will proceed at that time to invoke cloture.

Mr. WATSON. No; before that time.

Mr. HALE. Before that time?

Mr. WATSON. Yes.

Mr. HALE. The Senator has said that every Member of the Senate has made up his mind how he is going to vote on the treaty. Possibly that may be true as to the treaty itself; I am not certain of that; but certainly every Senator has not made up his mind that he will vote against any reservation that may be proposed, has he?

Mr. WATSON. So far as I know, every Senator has not done so, I will say to my friend from Maine. We are entirely willing that the reservations should be debated. The one reservation which has taken up so much time, and the consideration of individual Senators, has been the one proposed by the Senator from Nebraska [Mr. NORRIS]. I think that reservation is fairly well understood. Other reservations, I am told, will be offered, and there is no disposition on the part of those with whom I am associated to shut off debate on those reservations.

Mr. HALE. I myself expect to offer a reservation—

Mr. WATSON. The Senator expects to offer only one?

Mr. HALE. I may offer more than one. It seems to me that the one I have in mind, which will affect the question of the right, for which the United States has always stood, of being allowed to build the type of ships the country needs, subject to treaty limitations within a category, is of sufficient importance to consume more than 10 minutes, either by a Senator defending it or a Senator speaking against it.

Mr. WATSON. Let me ask the Senator, Is the reservation to which he refers to a section of the treaty or is it a reservation to the resolution of ratification?

Mr. HALE. I have not as yet decided that point; I have not as yet framed the reservation in final form.

The VICE PRESIDENT. The treaty is before the Senate as in Committee of the Whole and is open to amendment.

Mr. FLETCHER. I ask unanimous consent to have printed in the RECORD a communication from the First Avenue Methodist Episcopal Church, of St. Petersburg, Fla., urging the ratification of the London naval treaty.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

THE FIRST AVENUE METHODIST EPISCOPAL CHURCH,
St. Petersburg, Fla., July 12, 1930.

The First Avenue Methodist Episcopal Church at St. Petersburg, Fla., representing in membership 915 residents of this city and 600 constituents, respectfully request the Senate of the United States to ratify at this special session the treaty which resulted from the recent London naval conference.

We further urge upon our Senators that the right of parity in naval tonnage equal to that of Great Britain be not exercised unless in the opinion of the Senators there is likelihood of early conflict with our Anglo-Saxon brother nation across the Atlantic. Such conflict does not in the mind of this church and its constituency lie within the field of possibility and therefore such expenditure for unneeded naval craft would appear to us as a waste of the citizens' money and out of harmony with the spirit of international comity and brotherhood, for which this church unanimously stands: Be it

Resolved, That a copy of these resolutions be sent to Senator DUNCAN U. FLETCHER with the request that he present the same to the United States Senate, and that copies be sent to the President of the United States, the junior Florida Senator, and the President of the United States Senate.

Respectfully submitted.

SCHUYLER E. GARTH,
Minister.

T. J. PRICE,
District Superintendent.
Mrs. R. T. MILLEREN,
Church Secretary.

A. R. WELSH,
Chairman Trustees.

O. M. MINNICH,
Chairman Stewards.

G. L. QUEEN,
Chairman Group Leaders.

NORTH CAROLINA AND ITS PROGRESS—RADIO ADDRESS BY SENATOR OVERMAN

Mr. WALSH of Massachusetts. Mr. President, the genial and able junior Senator from North Carolina [Mr. OVERMAN] delivered a very eloquent message over the radio last night on the subject of North Carolina and its progress. I ask that his address and the introductory remarks made in presenting him to the American audience by Mr. Frederic William Wile may be printed in the RECORD.

There being no objection, the introductory remarks of Mr. Wile and the address by Senator OVERMAN were ordered to be printed in the RECORD, as follows:

FREDERIC WILLIAM WILE'S INTRODUCTION OF SENATOR OVERMAN, OF NORTH CAROLINA, ON JULY 16, 1930

The gaze of visitors to the United States Senate seldom falls to be attracted by a patriarchal figure on the Democratic side of the aisle.

He is the silver-haired veteran who has adorned the Chamber for more than a quarter of a century, and who, after March 4 next will be the ranking Member of that body, with 28 years of continuous and distinguished service to his credit.

LEE SLATER OVERMAN, soon to become the senior Senator from North Carolina, stands at my side, ready to participate in this notable welcoming ceremony.

If looking the part were all there is to being a great Senator, he would fill the rôle as few men now in public life could fill it, for in dignity, bearing, and commanding appearance he is almost without a peer.

But he is much more than the physical ideal of a statesman. He is a statesman. If some of you are not familiar with his name, his voice, or his picture, it is because he prefers the counsels of wisdom to flamboyance of speech and the arts of advertisement.

He specializes in constructive concentration on the Nation's problems instead of adding to its overproduction of words. When he rises to talk, he always has something to say.

He is a great and a consistent Democrat. He believes in party government. His vote and influence in the Senate are always at the disposal of his party leadership.

He is the ranking Democratic member of the three powerful Senate Committees on Appropriations, the Judiciary, and Rules.

Senator OVERMAN was 76 years young last January. He has been in politics for 53 of them. He learned the game at the elbow of the venerated Gov. Zebulon Vance, whom he served as private secretary in the late seventies.

The people of North Carolina have honored him with high office so uninterruptedly that he has become an institution.

The Land of the Sky is entitled to be proud of its representation in the Senate by this noblest Roman of them all. I hold it a high privilege to present not only to his devoted North Carolinians but to the Nation, which he serves no less faithfully, the Hon. LEE S. OVERMAN.

ADDRESS BY SENATOR OVERMAN

Several weeks ago I was invited by the manager of station WBT, at Charlotte, N. C., to come down and make a 5-minute talk this evening, when the great Columbia Broadcasting System would present an inaugural program dedicated to Charlotte and the Carolinas over a nationwide hook-up, but on account of my official duties in Washington I had to decline. However, through the courtesy of the Columbia Broadcasting System I was invited to speak from Washington. This I am glad to do, and am happy to send greetings to the good people of Charlotte and North Carolina, and congratulate them in getting this great connection, which will give so much entertainment and pleasure to our people. This occasion marks another step forward in the splendid progress which has taken place in the old State.

Standing here before the microphone, 400 miles from my home, my heart turns back to the great old State and my beloved people.

The State of North Carolina has a most remarkable history. The marvelous progress which has taken place enables me to tell the millions who may be listening to-night of the wonderful development of this State.

More than a year before the Declaration of Independence at Philadelphia, North Carolina at Charlotte threw off the British yoke of oppression and declared her independence. She was the last State to go into the Federal Union and the last to go out. She would not join the Union because of the failure of the adoption of the 10 amendments, and did not go in until these amendments were written in the Constitution itself, which says, among other guaranties, the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people. For more than two years she was a free and independent sovereignty; she did not vote for George Washington for President and only went in in November, 1789, when she became a part of this great Union.

This great old State with her 100 per cent pure American blood has always been jealous of the rights of her people; she has fewer alien born than any other State in the Union.

She voted against secession in April, 1861; and not until the President called for 75,000 troops to fight the sister States did she conclude if she had to fight she would fight on their side, and voted to secede on May 20. After withdrawing the State sent more troops to the Southern Army than any other Southern State, sending 15,000 more soldiers than she had voters. She lost in that great war 40 per cent of her voting population; and in killed, wounded, and other casualties more than any other Confederate State. North Carolina accepted her defeat in good faith, however, and these veterans returned to a land of sorrow, ruin, and devastation, but with renewed vigor and with that supreme courage they exhibited in the war they and their sons and their sons' sons went to State building. Since that time her progress, both industrially and agriculturally, has been not only most wonderful but marvelous. She now pays more taxes to the Federal Government than any other State, with the exception of New York, paying more than a quarter of a billion dollars toward the expenses of this great Government.

She has more cotton mills than any State in the Union; more people employed than any Southern State; she has the largest furniture manufacturing city in the United States, with the exception of Grand Rapids, Mich.; she produces more tobacco and the valuation of the crop is larger than any State in the Union; she is not only great industrially but great in agriculture, her farm crops being valued higher than any other Southern State, with the exception of Texas, which has four times as large an area, and North Carolina ranks fourth in the United States. With her splendid climate and fertile soil she can raise any crops grown, with the exception of tropical and subtropical products. I have stood on plantations in North Carolina and seen wheat growing in one field, cotton in another, corn in another, tobacco in another, oats in another, vegetables in another, wonderful orchards and beautiful purebred cattle grazing in the valleys and grass-covered hills.

North Carolina has the highest mountain peaks east of the Rockies and her scenery is unsurpassed anywhere. She has hundreds of miles of coast stretching along the Atlantic Ocean; her sand hills, pine forests, and mountains with her wonderful hotels stand with open arms inviting those who are seeking health and pleasure. In good roads she is unrivaled and unsurpassed; leads all the Southern States in water-power development, and in this stands third in the Nation; leads in estimated wealth, with the single exception of Texas, in the entire South. North Carolina appropriates more money for public schools than any other Southern State, and has more children in schools than any other. First in the United States in the number of native minerals.

I invite those who may be listening to come to North Carolina and see for themselves what this great State offers in the way of opportunities; come and live with us and take part in this great march of progress, and I can assure you a royal old-time southern welcome.

The spirit of our people is expressed in the sentiment contained in our State song:

"Carolina, Carolina, heaven's blessings attend her;
While we live we will cherish, protect, and defend her."

I only have five minutes. I thank you and good night.

DUTCH HARBOR

Mr. COPELAND. Mr. President, I have received a very interesting letter which I wish to have printed in the RECORD. It deals with the problem of Dutch Harbor, to which I referred in my speech on the 10th of July, and confirms, from an authoritative source, the importance and significance of that harbor in connection not alone with the defense of the Philippines but the defense of the continent itself.

The VICE PRESIDENT. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

DOWNSVILLE, DELAWARE COUNTY, N. Y., July 14, 1930.

Hon. ROYAL S. COPELAND,

Senate Office Building, Washington, D. C.

DEAR SIR AND SENATOR: As a unit in the citizenship of New York State, though politically opposed to you, permit me to commend the stand taken in maintaining the authority of the Senate, which I believe you to be taking without partisan ends in mind.

While undoubted altruistic motives move the President in his efforts to make the United States the ministering angel for the dawn of peace, it still appears that, constitutionally, the Senate should be the directing agency of the angelic activities.

Again, in writing this I thought that it might in part counterbalance the opinions of the 25 ladies more happily vacationing at Cape May than in special session at torrid Washington.

Before closing may I trespass upon your time concerning what follows? Replying to Senator WALSH of Montana, page 64, CONGRESSIONAL RECORD of July 10, relative to Dutch Harbor as a continental defense, you answered, "Not at all; but for the defense of the Philippines and our possessions in the East." You are aware that the main portion of Japan and our Pacific States lie in, approximately, the same latitude, with Dutch Harbor almost directly north of Honolulu, from which it is distant about 2,000 miles, and from a parallel of latitude connecting Yokohama and the Pacific coast, midway between San Francisco and Los Angeles, about 1,000 miles. On the other hand, the distance from Yokohama to Honolulu is 3,400 miles. It appears, therefore, that Dutch Harbor would not only be invaluable as a Philippine defense but, in conjunction with naval preparations in the Sandwich Islands, a patrol would readily be established between the two bases across the line of advance of oriental forces, where the advantage of time would be with us by at least 1,400 miles, thus forming a very effective line of first defense for continental United States.

It has often occurred to me that if, in conjunction with these, another strong base were established in the Galapagos Island area there would be inclosed in a great, almost impenetrable triangle that part of the Pacific which stretches from the Panama Canal north. Dutch Harbor is, I believe, in the warm north Pacific current and open the year around. These are the ideas of defense, in the main, which writers on sea power such as Captain Mahan set forth, and they are in line with England's care of her interests throughout the seas of all the world.

Very sincerely yours,

HOWARD B. GOWTSCHUS.

ARTICLE BY FORMER PRESIDENT COOLIDGE

Mr. COPELAND. In this connection I also ask that the sermonette by Calvin Coolidge published in this morning's newspapers may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Calvin Coolidge says:

"The world does not make real progress as fast as some expected. Like backward people with free constitutions reverting to revolution, the nations have made numerous agreements with each other for peace and then turned their attention to preparation for war. In spite of all the high resolutions, all the solemn treaties, all the carefully prepared organizations set up for the peaceable adjustment of international disputes, the world is arming more heavily than before the war, and we hear too many distinct utterances of hostility. This is a disconcerting change from the spirit of the Paris Peace Conference. Then there was disagreement about reparations and allocation of territory, but absolute accord by friend and foe alike on the principle of reduction and limitation of armaments and the maintenance of peace.

"It was so nominated in the treaty of Versailles. Germany consented to disarm on the agreement of the other parties to the treaty to disarm. Yet only the United States has proposed and secured any practical agreements for limitation of armaments. It has not been possible to secure much real reduction. The war curbed for a time but has not greatly changed the spirit of the nations."

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. HALE. Mr. President, in the speeches of both the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] recently delivered in the Senate, great stress is laid upon the fact that at the time of the convening of the London conference we had in commission only one 8-inch-gun cruiser and ten 6-inch-gun cruisers of the *Omaha* class, and that, therefore, we were in a very difficult position to treat with Great Britain and Japan on this category of ships.

Both Senators also stressed the fact that the country had been allowed to drift into this deplorable condition of affairs, and they have laid the fault, by inference, at the door of those who were responsible for the maintenance of our Navy.

I think I have fully explained the situation in the speech which I recently delivered on the floor of the Senate, but it will do no harm to bring the matter up once more and to show again the entire fallacy of the claims made by these two Senators, both delegates to the London conference.

Let me say at this point that it is extremely embarrassing to me in my criticism of the London treaty to have to include in such criticism two of the Members of this body, for whom as Senators I have the highest esteem. These Senators were not put on the delegation at the request of the Senate, and their presence on the delegation can not be said to indicate in any way that they officially represent the United States Senate. Criticism of the treaty obviously must involve criticism of the delegates framing the treaty, and that criticism I feel in duty bound to make as chairman of the Committee on Naval Affairs of the Senate, whose obvious duty it is to do what is in his power to protect the naval defense of the country.

At the time of the authorization of the 1916 building program we had in the cruiser class a certain number of antiquated and very slow cruisers, the more powerful of which came within the armored-cruiser class, a class of ship which since the World War has practically gone out of existence.

In 1916 we had 10 of these armored cruisers, 5 so-called light cruisers of the first class, 4 of the second, and, I think, 15 of the third class—very small ships.

The 1916 program provided for the laying down of 10 fast, modern light cruisers, the need of which with the fleet was at that time very great. At the time of the authorization of these cruisers there were in the navies of Great Britain and Germany many fast unarmored 6-inch-gun cruisers but no cruisers of this fast type mounting guns larger than 6-inch.

Prior to the planning and laying down of these cruisers the British had authorized five cruisers of 9,750 tons each, mounting 7½-inch guns, to be used for raider chasing away from the fleet in the World War; but the move on the part of the British was largely an experimental one. In any event, for work with the fleet and under the guns of the 6 battle cruisers provided in the 1916 program, ships of a speed nearly equal to their own, these 10 cruisers of the *Omaha* class were at that time held to be the latest and best thing in modern cruiser construction.

At that time the so-called 8-inch-gun, 10,000-ton very fast treaty cruisers had, of course, not been conceived of, and the usefulness of the *Hawkins* type of cruiser, the 7½-inch-gun cruiser, was still in question.

Two of the *Omaha* class of cruisers were laid down in 1918 and the remaining eight in 1920.

At the time of the Washington conference all of these cruisers were under construction. Out of the Washington conference came the fast 8-inch-gun 10,000-ton treaty cruiser.

The Japanese were the first to lay down modern, fast, 8-inch-gun cruisers, and they commenced their program by laying down four in the early part of 1924. These four vessels were vessels of a smaller type than the 10,000-ton treaty type, but mounted the same 8-inch guns. Great Britain followed suit shortly after with five 10,000-ton, 8-inch-gun cruisers of the *Kent* class.

At the end of the year 1924, one year and four months after the coming into effect of the Washington treaty and shortly after the programs of Japan and Great Britain had been authorized, we authorized the building of eight of this type of ship. In the law authorizing the building of these cruisers a provision was included that all of the 8-inch-gun cruisers, eight

in number, must be started before July 1, 1927. Construction was started on the first two ships in 1926, and the other six were laid down shortly thereafter.

At the present time five of these ships are in commission, and the last three will be finished within the next nine months.

Those of us who were in the Senate in 1927 will recall the cruiser fight to appropriate funds to start the construction of the last three of the cruisers authorized by the act of December 8, 1924. The administration then in power, in disregard of the time clause in the law authorizing the ships, submitted no budget estimate for their construction; and it was only after a bitter fight in the Senate that the necessary appropriations were included.

The Senator from Pennsylvania [Mr. REED], who has recently stated on the floor of the Senate that he was horrified to find that in this auxiliary class of ships the United States was in a condition of almost hopeless inferiority, voted against the appropriation for the construction of the last three of these cruisers.

Shortly after the close of the Geneva conference, with its failure to reach an agreement on a limitation of auxiliary classes of ships, the Secretary of the Navy, with the approval of President Coolidge, presented to Congress a large building program, providing for the building of 25 cruisers and a number of other auxiliary vessels. Hearings were held before the committees of Congress, and the pacifists of the country stirred up a mighty opposition to this so-called "imperialistic" measure. Congress finally cut down the program to 15 cruisers and 1 aircraft carrier, and on March 3, 1928, the so-called cruiser bill was reported to the House by the House Naval Affairs Committee. The bill passed that body on March 17, 1928, and came to the Senate. It was found impossible to secure action on the bill before the adjournment of the session in the summer of 1928, though I tried my best to get action on it; and it was not until February, 1929, that the bill passed the Senate and became a law.

This bill provided for the construction of 15 cruisers and authorized the expenditure of a sum of money sufficient to build them, of the treaty cruiser type. The bill further provided that 5 of these cruisers should be started during the fiscal year 1929, 5 during the fiscal year 1930, and the last 5 during the fiscal year 1931.

In the annual naval appropriation bill for 1930 the Congress appropriated specifically sums of money to start the first five of these cruisers and to proceed with their construction during the fiscal year 1930.

The bill further provided a sum of money sufficient to start the second five cruisers of the program before the 1st of July, 1930.

There was a further provision in the bill that if the construction of any vessel therein authorized to be undertaken in the fiscal year 1929 or the fiscal year 1930 was not so undertaken in that fiscal year, such construction should be undertaken in the next succeeding fiscal year; in other words, that all 15 cruisers must be started before July 1, 1931.

The keels of 2 of the first batch of 5 cruisers have already been laid down, and the assembling of parts for the other 3 and their awarding to Government navy yards has already been undertaken.

That the second batch of five cruisers have not yet been started is due to presidential and not to congressional inaction, as Congress appropriated the necessary funds to start and carry on the construction of both sets of cruisers.

In any event, under the law all of the 15 ships must be started before the 1st of next July; and, allowing three years for their construction, all will be in commission before the 1st of July, 1934. The time clause in the cruiser bill makes it no paper program but a program that must and will be carried out unless Congress repeals the law or the administration disregards it; and this the administration can not do, under a further provision of the law, unless an international agreement intervenes.

Our delegates therefore went to the London conference with the certainty in their minds, and with full knowledge in the minds of the delegates from the other countries parties to the conference, that by the end of the fiscal year 1934—two and one-half years before the date of the expiration of the London treaty—the United States would have in actual commission twenty-three 10,000-ton, 8-inch-gun-cruisers, aggregating 230,000 tons, and ten 6-inch-gun cruisers of the *Omaha* class, aggregating 70,500 tons; and that is no indication of hopeless inferiority in which our country found itself at the conference.

The talk made by the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED] about the pitiful condition that we were in at the London conference, with

only 11 cruisers in commission, is entirely misleading and in no way accurately presents the situation that faced our delegates at the conference.

I am amazed when I read that the Senator from Pennsylvania was horrified when he discovered the condition that we were in. The whole matter has been threshed out over and over again on the floor of the Senate when the bills authorizing the cruiser construction and the annual naval appropriation bills providing funds for the carrying out of the construction have been before the Senate.

The Senator from Pennsylvania did vote for the last cruiser bill, providing for the construction of the 15 cruisers; and I will say for him that he was most helpful at that time in getting the bill through the Senate, as was also the Senator from Arkansas [Mr. ROBINSON].

As far as the other categories of ships are concerned, in battleships we have undertaken no new construction since the Washington conference, and, of course, we could not do so under the terms of the Washington treaty.

In destroyers we have laid down no new ships because there has up to now been no occasion for doing so. We still have, and for several years to come will have, in commission and in reserve many more vessels of this class than we use on a peace basis, and we have not been warranted under the circumstances in starting any new destroyer construction. As the Senate well knows, with this condition facing us, any proposition involving new building would inevitably meet with failure.

In submarines very much the same situation faces us. We have provided for a certain amount of new submarine construction of a type in which we were lacking, about 10,000 tons being now under way, but we still have, and for several years to come will have, a sufficient number of submarines not yet on the obsolete list to keep up the number that we have deemed sufficient for a peace-time footing.

Obviously, both in destroyers and submarines we shall have within a very few years a great amount of replacements to make, but those replacements must be made whether we have a treaty or no treaty if we are to keep up our Navy at even its present strength, and the American people will not begrudge to the Navy the appropriations necessary for this purpose.

It is unfortunate that the peak of replacement of the bulk of our Navy should come at one particular period, but due to the large number of effective ships left to us after the World War we have gotten by the period since the war with very little money spent on replacements, and the time is now almost here when we must balance the savings that we have made.

As I explained in my speech of Friday, July 11, the entire Navy must be replaced within a space of 20 years' time, and a saving in replacement on one year must be met by a corresponding increase in some other year.

The shortage in our Navy at the present time is almost entirely in cruisers and that shortage has been well provided for by the cruisers which have been authorized by Congress and will be constructed unless Congress, by further legislative action, prevents it, or unless, as I have said, a treaty agreement intervenes.

Senator REED tells us that the world as a whole came to see that there was nothing but conflict, bloodshed, and misery to follow such a course as had been taken by the Germans in their frantic building programs begun in 1911.

As I have pointed out already on the floor of the Senate, the distinction between the program of Germany before the war and any possible program we may lay down is that Germany was arming herself for purposes of aggression, whereas the purpose of any program we may lay down would be to prepare ourselves so that no other nation would deem it safe to make war upon us.

Our purpose in providing armament is purely defensive. Germany's was distinctly aggressive.

I quite agree with the Senator about the advantages of a reasonable limitation of armament, but that limitation must be fair to all parties concerned, and if by reason of unfairness in the agreement negotiated we refuse to ratify the agreement and then proceed to build up our Navy, there is no menace to the peace of the world in our so doing.

I am glad to see that in his recent speech Senator REED has abandoned the idea that at the Washington conference we were not supposed to secure the 5-5 ratio with Great Britain, and the 5-3 ratio with Japan, until the completion of the replacement program in 1942.

Without any question, as indicated by Secretary Hughes in his statement to the conference, our delegates secured not only the ratio of 5-5-3 in 1942, but an immediate existing complement of capital ships which at the time were supposed by our delegates to represent parity with the British complement and a ratio of 5 to 3 with the Japanese complement. That we were

out-traded and did not secure parity after the completion of the *Rodney* and *Nelson* I am willing to concede, and the arrangements made in the London treaty bring us up much more nearly to parity with Great Britain than we have at the present time. On the other hand, the same arrangements place us in a position of slight disadvantage with Japan, who secures for herself better terms as to capital ships than do we.

Senator REED tells us that the comparative worthlessness of battle cruisers in an encounter with battleships was proved at the Battle of Jutland. I think he entirely loses sight of the fact that since the Battle of Jutland plunging fire, with airplane spotting, has been greatly developed and effective hits may now be secured at ranges well over 30,000 yards.

As plunging fire takes effect principally on the decks of ships rather than on the sides, and as the battle cruisers carry a considerable deck protection, there is now a serious question as to whether these ships, which mount the same guns as the battleships, and which are very much faster ships, may not prove to be of a much higher value than had been reckoned on when the complements of the fleet under the Washington treaty were made up. We must remember, too, that Great Britain has 4 of these battle cruisers, 1 of which she is to scrap under the terms of the London treaty, and Japan also has 4, 1 of which she is to scrap under the terms of the London treaty.

The Senator speaks of the agreement in the Washington treaty that we should not proceed further with the fortification of our Pacific Islands, and takes the ground that under this agreement we secured quite as much of an advantage as did Japan.

I think the best answer to the statement of the Senator is that Japan insisted upon the agreement, reduced her demand for a 10-7 ratio to a 10-6 ratio, on account of its acceptance, and specifically stated that she could not consider the capital-ship ratio as acceptable by the Japanese Government if the Government of the United States should fortify or establish additional naval bases in the Pacific Ocean. This is clearly set forth on page 800 of the volume entitled "Washington Armament Conference Treaties."

On page 159 of the RECORD the Senator tells us that the deferring of the replacement of the capital-ship program was the best leverage our delegates had at the London conference, and that the delegates used that leverage to secure immediate parity with Great Britain in capital ships.

It seems to me that that leverage could have been used to great advantage in working out the terms of the cruiser problem as well. Great Britain is manifestly in no position financially to spend the money necessary for the replacement program at the present time, and there is nothing to indicate that she will be in such a condition prior to 1936. We, on the contrary, could afford the replacement without any material damage to our people.

I can not feel that we played our cards very adroitly when we got no further benefit out of this ace card of ours than that enumerated.

On page 159 of the RECORD the Senator speaks about the right that we secured at the London conference to modernize our ships. In view of the fact that we have already modernized eight of our existing capital ships and have two others under modernization at the present time, it seems to me rather a specious argument to claim as a concession to us that we get the right without question to modernize the remaining capital ships of our complement under the London treaty.

The slight objection made by the British at one time to the elevating of the guns of our battleships, which comes under the head of modernization, was satisfactorily adjusted by the State Department, and whether or not the London treaty is adopted the remaining battleships will undoubtedly be modernized, as we have a right to modernize them under the rulings of two former Secretaries of State—Secretary Hughes and Secretary Kellogg.

On page 161 of the RECORD the Senator goes into the question of the offer of the General Board of the Navy of September 11, 1929, to accept twenty-one 8-inch-gun cruisers, the ten 6-inch-gun cruisers of the *Omaha* class, and the 35,000 tons of 6-inch-gun cruisers as parity with the British offer, and informs us that this offer amounted to a recognition of the principle of dividing the cruiser class into subcategories.

That question I covered, I think, very completely in my recent speech in the Senate. However, to put the matter very briefly, the offer of the General Board was a last-ditch offer, made by them for the sole purpose of reaching an agreement for parity with Great Britain at the close of the year 1936. In the same letter the General Board explained and explicitly stated that they much preferred the carrying out of existing law, which would have given us twenty-three 8-inch-gun cruisers and the 10 existing ships of the *Omaha* class, and, further, that nothing in their offer must be construed as an abandonment of

the American principle that within a category each country should have the right to build as its needs demanded up to the limitation within the category.

The offer of the General Board would not have resulted in the establishment of subcategories. The London treaty definitely does establish subcategories, and definitely yields to the British position demanding subcategories. If the London treaty is ratified, we shall never get away from the subcategories division herein acceded to, and tonnage parity in the future will mean tonnage parity in the subcategories.

On page 160 of the *Record* the Senator speaks of a new type of cruiser which we are allowed to build under the terms of the London treaty—a 6-inch-gun cruiser of a tonnage anywhere up to the 10,000-ton limit of the Washington treaty. We are told by the Senator from Arkansas [Mr. Robinson] that this is one of the valuable concessions secured by the American delegation, and that it was after considerable difficulty that our delegates won the concession.

As a matter of fact, Mr. President, no such ship has ever been formally planned or designed, and from the general testimony of the naval officers at the hearings the advantages of such a ship are, to say the least, questionable. The testimony at the hearings showed that a 10,000-ton ship with 6-inch guns could mount 12 such guns to the 9 guns of the 8-inch-gun, 10,000-ton ship.

The additional guns on the 6-inch-gun ship with the turrets in which they would be mounted would give about the same weight in each ship to guns, turrets, and ammunition. The engines, of course, would be the same, and the amount of available weight for armor and fuel storage would be, therefore, about the same.

The advantage of this type of ship would be that it would give the ship a considerably larger cruising radius than the ships of the *Omaha* class, and the Senator from Pennsylvania has made much of this advantage in his speech. He neglects, however, to state that the two advantages claimed for the 8-inch-gun ship for disbursed cruiser action away from the fleet were the size, which gave the ship a long cruising radius, and the armament, which gave her protection against any ships that she might meet in combat. Obviously, the 6-inch-gun ship would be lacking in this latter quality.

All of the arguments that have been adduced to show the merits of the 6-inch-gun ship are made for the purpose of getting us to accept a type of ship that we were driven by the terms of the treaty to accept.

The preponderant weight of naval testimony is clearly to the effect that the 8-inch-gun ship is a much more effective ship, and many of the witnesses before the Naval Affairs Committee went to the extent of stating that they would build no 6-inch-gun ships at all in the future.

It is idle for us here to argue about the technical performance of the two types of gun in dispute. That is a matter for the experts. The naval policy of the country as published by the Navy Department in 1922 and again in 1928, approved by Secretary Denby and President Harding in 1922, and by Secretary Wilbur and President Coolidge in 1928, announced in so many words that hereafter we would build 8-inch-gun treaty cruisers exclusively.

I have already gone into the question of the merits of the two types of gun on the floor of the Senate, and there is no need to repeat the arguments here.

The 6-inch-gun ship has a slight advantage when working with the fleet in repelling attacks in the destroyer screen. For every other purpose for which a cruiser may be used the 8-inch-gun cruiser has the advantage.

Senator REED has given us certain figures furnished him by Captain Smyth, assistant to Admiral Leahy, Chief of the Bureau of Ordnance. I have put in the *Record* a letter to me from Admiral Leahy. The figures of Captain Smyth are based on one of the hypothetical ships of 10,000 tons with 6-inch guns, and are also based on the gunfire of that hypothetical ship against the type of cruiser which is not the latest type which we have developed, and these figures are based on the placing on that hypothetical ship of a greater thickness of turret armor than the 8-inch-gun ship could carry.

As I have just stated, the armor on both ships would be the same, and that being the case the figures do not represent existing conditions.

In his testimony before the Naval Affairs Committee Captain Smyth testified that in every way at a range of over 16,000 yards the 8-inch gun is superior, and when asked what his stand was at the preliminary conferences before going to Europe in regard to the 6 and 8 inch gun cruisers, he replied that he preferred the 8-inch-gun cruisers, and further stated that he had never changed his mind since.

On page 162 of the *Record*, Senator REED has said that the agreement as to parity with the Japanese in submarine tonnage was, in the opinion of the naval advisers, fair to both countries, and not unduly disadvantageous to the United States.

In the testimony before the Naval Affairs Committee I find nothing to bear out this statement. Two of the witnesses, Admiral Pringle and Admiral McLean, did testify that if the submarine tonnage was cut down to about 25,000 tons they would be willing to concede parity with Japan, but even these witnesses further testified that parity with Japan could only be accepted on the very low figure of 25,000 tons. The only testimony before the Naval Affairs Committee approving of the arrangement for parity with Japan in submarine tonnage was that given by Admiral Pratt and to a certain extent supported by Admiral Moffett.

The testimony of nearly all of the naval advisers at the London conference was that they had nothing whatever to do with the changing of the terms of the Japanese ratio, and that they did not express approval before the offer had been made to the Japanese.

On page 163 of the *Record* the Senator from Pennsylvania [Mr. REED] assures us that a great improvement is taking place in the Franco-Italian situation, and that the outlook for their getting together is much brighter. In view of the fact that none of the other parties signatory to the treaty have yet ratified the treaty it seems to me that it would be a very good idea for us to wait and see what agreement France and Italy can work out. If they can work out an agreement and can subscribe to part 3 of this treaty, it will do away with any necessity for the much-discussed escalator clause, and will really allow us to come to an agreement which will provide for real limitation of armament.

That the escalator clause will not be used, as the Senator from Pennsylvania and the Senator from Arkansas have given the Senate to understand in all probability will be the case, I am not willing to admit. Unless France and Italy actually do get together it seems to me that there is every chance that Great Britain will invoke the escalator clause, and we will be forced, if we are to keep up the treaty parity, to build further ships that we do not need.

The Senator from Arkansas [Mr. Robinson] in his speech of Monday last spoke of the modernizing of our battleships and indicated that when all of our ships shall have been modernized we will have a slightly larger tonnage in capital ships than Great Britain.

Of course, as I have already explained, tonnage was only one of the considerations at the Washington conference in making up the complements of the three countries—the United States, Great Britain, and Japan—and in getting what at that time was considered the actual terms of the ratio in these complements.

Even, however, in the matter of tonnage the Senator loses sight of the fact that whereas the British have modernized all of their ships with the exception of the *Rodney*, *Nelson*, and the *Hood*, they have not availed themselves of the treaty limitation of 3,000 tons according to our best information, but have put, on the average, on each ship only 1,100 tons. This would allow them 22,000 tons for further modernizing if they see fit to use it.

On page 120 of the *Record* the Senator from Arkansas [Mr. Robinson] has enunciated a novel theory that the policy of the Navy Department is clearly to divide our cruisers and that it has been the policy in the past to have an equal number of 6-inch and 8-inch gun cruisers.

I have already shown that the ships of the 6-inch-gun *Omaha* class were built at a time when no 8-inch-gun cruisers were in existence or had been projected in any navy.

As soon as the Washington conference fixed the limit for treaty cruisers the Navy Department advised, and Congress proceeded to authorize, the construction of treaty cruisers, and since that time neither the department nor the Congress has considered the building of any other type than the treaty cruiser and of the latter Congress has authorized 23. The Senator's statement shows that he must be misinformed on this situation.

On page 121 of the *Record* the Senator from Arkansas [Mr. Robinson] states, in reference to the 8-inch-gun cruisers that will not be completed until after the expiration of the treaty, that no one anticipates that we are carrying out our naval programs for the early future in contemplation of the probable appearance of hostilities between this and any other country during the life of the treaty, and that it is a distinct advantage to the United States not to finish all of these ships before the treaty ends.

In view of the fact that the claim that the London conference was a success is based by its defenders largely on the difficul-

ties that were encountered because of the small number of ships that we had in actual existence, an argument in favor of putting off the building of ships and thereby placing us at a disadvantage at a future conference seems to be somewhat out of place.

On page 121 the Senator from Arkansas speaks of the argument of the Senator from Virginia [Mr. SWANSON] and states that no sane student of the subject could expect Japan to agree on a program of naval construction which would place her indisputably at the mercy of any other power, and then goes on to say:

Would anyone expect Japan or any other government voluntarily to accept terms in a treaty which would make certain the impossibility of her exercising successfully her right of self-defense? Why, certainly not. As said by the Senator from Virginia [Mr. SWANSON] one of the great advantages of the treaty is that it removes the impulse to objection by leaving Japan safe in her home islands and home waters, and by leaving the United States without danger or threat of attack from any naval power on the face of this earth.

The Senator seems to forget that under the terms of the Washington treaty we accepted parity alone with the greatest other naval power in the world—Great Britain.

I can not recall that we guaranteed to France or to Italy immunity from attack in their home waters. Neither can I recall that we granted that right to Japan.

In view of her then importance as a naval power, we did give her the right, under the terms of the Washington treaty, through the adoption of the 5-3 ratio, to meet us on equal terms should the seat of hostilities be in the Far East, and that equality in the Far East the ratio of 5-3 was supposed to give her. Beyond that our delegates at the Washington conference were not willing to go. The ratio, practically 10 to 7, adopted at the London conference for Japan definitely takes away from us the possibility of meeting her on equal terms in the Far East, and to that extent materially jeopardizes our interests.

On page 122 of the RECORD the Senator from Arkansas [Mr. ROBINSON] speaks of the impossibility of offsetting the possible advantage which Great Britain possesses in a larger merchant marine by increasing our cruiser strength.

We have never made claim to any such increase on account of British superiority in their merchant marine, but those of us who believe in a proper Navy do contend that we should in every way within our power, without increasing our tonnage beyond the tonnage of Great Britain, so allot that tonnage that so far as possible the British superiority in merchant-marine tonnage and in naval bases may to some extent be counterbalanced, and we have no objection to Japan exercising the same right of discrimination.

On page 121 the Senator from Arkansas [Mr. ROBINSON] makes the following statement:

Of course, following the Washington conference we stood still for a material time; we built little; but we finally entered the realm of competition.

That statement I dispute. This country has never entered the realm of competition in naval armament since the time of the Washington conference. Competition, according to the dictionary definition, means "strife for superiority." That superiority the United States has never attempted to obtain. All that we have striven for is equality, and it is a peculiar thing, to my mind, that other nations striving for superiority are subjected to no criticism for so doing, whereas we ourselves, when we try only for equality, are subject at once to the most bitter criticism.

Mr. President, in none of the speeches in defense of the treaty, able as they are, do I find anything to warrant the approval by the Senate of this treaty. Should the treaty fail, the Washington treaty calls for a conference of the five powers parties to it in 1931. At that conference the portions of the London treaty relating to all five powers can, if still found advisable, be embodied in a new treaty; France and Italy can find time to adjust their differences, if they are adjustable, and a treaty providing a real limitation of armaments, with all five naval powers participating and with the interests of the United States duly safeguarded, can, I believe, be negotiated. In the meantime by an exchange of notes there should be no difficulty in postponing the capital-ship-replacement program.

Mr. JOHNSON. Mr. President, I offer the reservation which I send to the desk and ask that it may be read, then printed, and lie on the table. I offer it at this time because at some time during to-day or to-morrow I desire to speak to it, and I deem it to be of extraordinary importance.

The VICE PRESIDENT. Let the proposed reservation be read.

The Chief Clerk read as follows:

Reservation No. — intended to be proposed by Mr. JOHNSON to the resolution advising and consenting to the ratification of the treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930:

"It is understood and agreed that notwithstanding the dates mentioned in article 18 the United States may, if it so desires, construct at any time within the life of the treaty the three cruisers in said article referred to. Nothing contained in said article or in said treaty shall be construed as requiring the United States to construct three cruisers at the times mentioned in said article; but the sixteenth unit, or the seventeenth unit, or the eighteenth unit of cruisers therein referred to, or all of them, may be constructed at any time by the United States after ratification of this treaty."

The VICE PRESIDENT. The proposed reservation will lie on the table and be printed.

Mr. HALE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Hale	Norris	Steiwer
Bingham	Harris	Oddie	Stephens
Black	Hastings	Overman	Sullivan
Blaine	Hatfield	Patterson	Swanson
Capper	Howell	Phelps	Thomas, Idaho
Caraway	Johnson	Pine	Townsend
Couzens	Jones	Pittman	Trammell
Dale	Kean	Reed	Vandenberg
Deneen	Kendrick	Robinson, Ark.	Wagner
Fess	Keyes	Robinson, Ind.	Walcott
George	La Follette	Robison, Ky.	Walsh, Mass.
Gillett	McCulloch	Schall	Walsh, Mont.
Glenn	McKellar	Sheppard	Watson
Goldsborough	McMaster	Shipstead	
Gould	McNary	Shortridge	
Greene	Metcalf	Smoot	

Mr. THOMAS of Idaho. I wish to announce that my colleague the senior Senator from Idaho [Mr. BORAH] is unavoidably absent for the day.

Mr. McKELLAR. I desire to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably absent. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-one Senators having answered to their names, a quorum is present.

CONDITIONS IN INDIA

Mr. JOHNSON obtained the floor.

Mr. BLAINE. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. BLAINE. Will the Senator permit me to offer and ask to have printed in the RECORD certain newspaper articles, and to offer a resolution and ask that the resolution be read?

Mr. JOHNSON. I yield.

Mr. BLAINE. Mr. President, I have arranged in order a number of newspaper articles in reference to the conduct of the British Empire in India—newspaper reports and editorials which I assume are based upon facts—and the facts disclosed by these newspaper articles and editorials divulge the most atrocious conduct known to history on the part of a nation.

The English-speaking nation, Great Britain, which has so long contended for the rights of individuals, the right of free speech, free press, the right of freedom of assembly, and trial by jury, now denies and damns all of its history and traditions and condemns these principles in applying the most atrocious repression and the most inhuman conduct in its endeavor to suppress the right of India to be free.

Mr. President, I desire to offer these articles to be printed in the RECORD and then submit a resolution and ask that the resolution be read by the clerk and that the resolution lie on the table. It may be, if this special session continues for any length of time, that I shall ask that the resolution be considered by the Senate, if it is not referred to the Committee on Foreign Relations.

So, Mr. President, I now ask to have printed in the RECORD the newspaper articles and editorials in the order in which I have arranged them.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the New York World, July 7, 1930]

BRITISH REVERSE HISTORY IN INDIA—TURN BACK TO OLD LAWS TO MEET GANDHI'S NEW WARFARE—BRING ABOUT A DEADLOCK—MERELY FURNISH REBELS WITH MORE ORDINANCES TO BREAK

By Negley Farsoon

BOMBAY, July 6.—It is less than three months ago that I sat cross-legged before Mahatma Gandhi while the half-naked holy man talked

about revolution and spun Khaddar yarn beneath the shade of his sheltering mango tree.

At that time I was amazed at the effrontery of this diminutive figure—he could not weigh 100 pounds—defying the greatest Empire in the world. I wondered what weapons he could use, how successful they would be, and how the British would retaliate.

Since then I have been a witness to what perhaps is entirely a new form of warfare—a contest between an unarmed populace and an organized force, which now has culminated in the present deadlock between the British and "Gandhi Wallahs" on Bombay Island.

Passive resistance is a long, long way from passivity, and against the negatory forces of nonviolence and boycott Gandhi has been forcing the British to revive or promulgate so many retrograde ordinances that he has been making the Government walk backward through history. He himself has been arrested and imprisoned without trial under ordinance 25 of the year 1827.

OUTWITS BRITISH FIRST

After the British permitted Gandhi to embark on his famous salt demonstration, March 18, from Ahmedabad to Dandi (believing he would make a fool of himself), the first repressive measure which they had to revive against the forces that he started in motion was the "Bengal ordinance," which provides for the arrest of suspects without a warrant. That was in April.

Next was the press act, leaving it to the discretion of the local authorities to demand a cash deposit from the vernacular press for good behavior, also the right to close down those publishing seditious material.

The third was the viceroy's action on the Lahore conspiracy case, where it legalized trial by a tribunal without a jury and no appeal against the judgment.

Then, with clashes becoming frequent, the British revised the seditious meetings act, making it unlawful—where applied—for more than four persons to meet together in a public place. This is the act which has been force two months at Sholapur.

Then, with the growing revolt of the villagers in Gujerat, who were refusing to pay land revenues, and with the increased effect of the boycott, the viceroy promulgated the unlawful instigation and prevention or intimidation ordinances—under both of which offenders can be arrested without warrant.

The latest, passed only a few days ago, was the ordinance designed to destroy the sources of secret news sheets and congress bulletins, under which the entire Bombay "war council" was arrested and imprisoned last Thursday.

A magistrate at Gunter even made it unlawful to wear Gandhi caps, and the district magistrate at Lahore has just served an order upon the local banks forbidding payment of any money to any representatives of the congress organizations in Punjab.

"It is like standing on an island," an Indian leader said to me, "and it is getting smaller and smaller."

It seems ironic that such repressive actions should have been taken by a race which has been distinguished for its championship of individual liberty, yet the measures seem to be the only answer the British are able to discover against the campaign of nonviolent civil disobedience.

EACH LAW ADDS WOES

Each ordinance invoked is but another challenge to the very thing it is trying to crush—another law to be disobeyed. And as they become more harsh and oppressive, Gandhi's followers feel they are more justified in breaking them.

The result is an increasing number of arrests. But by this process the British face a continuation of the repressive process that leads toward no solution. Yet what can one do? That is the question which most Englishmen are asking each other these days in Bombay. The answer seems to be to sit on the lid of the Indian agitation and try to hold it down until the London round-table conference.

One thing is obvious. Indian nationalism is here to stay. Gandhi has shown the Indians their power.

[From the New York Times, June 9, 1930]

BIDS INDIA BOYCOTT BRITISH MEDICINES—BOMBAY MEDICAL PROFESSION NAMES COMMITTEE TO INSURE ALL DRUGGISTS HEED PLEA—PROTESTS "CALLOUS POLICY"—ASKS SWISS COUNCIL TO INQUIRE INTO GOVERNMENT'S "VIOLATION" OF LAWS OF HUMANITY AND RED CROSS

BOMBAY, June 8.—India has declared war on British medicine. This decision was expressed to-night in a resolution unanimously adopted at a general meeting of the Bombay medical profession, when a boycott committee was appointed to insure that druggists throughout the country henceforth deal only in India-manufactured or non-British medicines and drugs.

The resolution is one of protest against alleged "violations of the laws of humanity committed by government authorities in different parts of India against nonviolent Indian men, women, and children during the present nonviolent struggle for national liberation."

"This meeting appeals to the Swiss Federal Council to appoint an independent commission of inquiry into the violation of the laws of

humanity and of the Geneva Red Cross convention of 1906 by the British Indian government, which is one of the signatory contracting powers, and to take necessary action," declares the resolution.

DEPLORES "CALLOUS POLICY"

It continues:

"This meeting draws the attention of the authorities of the Red Cross societies and the St. John's Ambulance Association of India and throughout the world to the callous policy of not providing ambulance and other necessary medical facilities for the treatment and conveyance of the wounded, and appeals to them to take proper measures for enforcing the rules providing for the necessary facilities on all such occasions.

"This meeting urges upon all medical men to support the national movement to encourage Indian industries by using drugs and chemicals manufactured in India by Indian firms, as far as available. As a protest against this repressive policy and the atrocities perpetrated by the government, it further urges the boycott of drugs, preparations, and appliances of British manufacture."

A leaflet was circulated immediately after the meeting headed "Boycott British Medicines," in behalf of the joint boycott committee appointed by the Bombay Medical Union and the Bombay chemists. It earnestly urged all chemists and druggists throughout India solemnly to declare that henceforth they would not import, order, or undertake to supply their customers with drugs, chemicals, patent medicines, appliances, instruments, or any other goods of British manufacture and that they would boycott all breakers of this declaration.

APPEALS FOR COOPERATION

"The joint boycott committee appointed by the Bombay Medical Union and the Bombay chemists," continues the document, "begs to draw your attention to the foregoing solemn declaration made by the chemists and requests the earnest cooperation of the public and doctors, which alone would enable the chemists to implement the said declaration, and through such willing cooperation we shall jointly be able to encourage indigenous industries and drugs, chemicals, hospital cotton, and dressing instruments, etc., of Indian manufacture. We have, therefore, to ask you not to order any drugs of British manufacture. Henceforth and where India substitutes are not available to order non-British substitutes.

"For the guidance of doctors and druggists the joint boycott committee is preparing a complete list of available Indian substitutes, and, where such are not available, non-British substitutes for British drugs, dressings, appliances, instruments, etc., and a copy of the same will be supplied to you in due course. Thus we desire to cooperate with you and expect in return your cordial cooperation for the progress and prosperity of Mother India."

BRITISH DOCTOR AMAZED

British doctors with whom your correspondent discussed the resolutions to-night were so surprised that they were scarcely prepared to accept them as true. They point out that many of the men who have taken this step against British medicine owe their entire careers very largely to British universities and British hospitals, while at the very moment they decide upon this attack the whole country is covered with British-owned and British-manned hospitals engaged in the alleviation of the ailments of the Indian people.

It is hinted that the action is primarily one of reprisal against the recent decision of the General Medical Council in England not to accept the certificates of Indian University doctors, but the resolutions go deeper than this. They are only another drastic move in the widespread national campaign raging in India at the moment against everything that is British.

MOVE TO STIFFEN CAMPAIGN

BOMBAY, June 8.—With the subjugation of northwest frontier tribesmen by British airplanes, and with the coming of the rainy season lessening the activities of the Nationalist salt raiders, the Indian situation offered little of an exciting nature to-day.

Nationalist political activity continues, however, and at Jalapore a conference of civil disobedience volunteers under the presidency of Mrs. Mahatma Gandhi adopted plans for a stiffening of the civil resistance movement.

The conference passed a resolution urging nonpayment of land revenue and a social boycott of Government servants, both of which are forbidden in recent ordinance promulgated by the viceroy.

The working committee of the All-India National Congress concluded the sitting which began last Wednesday at Allahabad. Its activities were kept secret, but it is understood the chief feature was a decision to increase the program of picketing liquor and foreign cloth shops.

Some of the members, it is understood, were in favor of picketing newspapers, but others felt such a program was not advisable at present.

SEVERAL HURT AT KARACHI

KARACHI, INDIA, June 8.—Several persons were injured in a clash last night between plain-clothes detectives and civil disobedience volunteers in front of the home of the deputy superintendent of police, Rao Bahadur Daraindas Wadhwan. The crowd finally was dispersed.

[From the New Republic, July 2, 1930]

TEMPORIZING WITH INDIA

The publication of the second volume of the Simon report is a crushing blow to those who had hoped that it might have an important effect in ending the terrible situation which exists in India. It is a revealing fact that the name of Mr. Gandhi does not appear in the second volume at all, and in the first only in two or three casual by-references. As the authors say in their final statement all the conclusions in the report had been reached before the outbreak of the present trouble, and no alterations have been made because of it. There may be something to say for such a procedure scientifically, but there is nothing to say for it politically. A document has been produced which might have been of some value 10 years ago, or even 5, but is absolutely useless to-day. Even the moderate opinion in India will reject it. If the conference is held next autumn in London as planned, it must certainly throw the Simon report overboard at the beginning, if it is to accomplish anything. Publication of this document has, in fact, made it less likely that the conference will ever be held, or that any attempt will be made to solve India's troubles except by force—if we may define that word to include the sheer weight of passive opposition by many millions of people.

At a time when even the most moderate Indians are asking flat and definite promises of immediate steps toward full dominion status, at the very least, the Simon Commission publishes a report the net effect of which is to bind India tighter than ever to the British chariot wheel. If this report were put into effect both the British provincial governors and the British Governor General would have tremendous powers. The provincial governors, just as at present, would be able to dismiss their cabinets of native ministers at any time and take over the full duties of government for themselves. They would be specifically charged with the authority to carry out the orders of the central government and all laws of every sort, whether their ministers wished it or not. The Simon Commission, anticipating criticism of this feature, urges on its behalf that it would be put into effect only in emergency, and that under ordinary conditions the dyarchy (the system whereby certain subjects are reserved for British administration) would be abolished. But it is plain that self-government only during fair weather is not self-government at all, and the Indians have enough intelligence to recognize that fact.

Another serious weakness of the plan is that the members of the all important central legislative assembly would be elected, not by popular vote but by the members of the provincial legislatures. They would be chosen on a basis of proportional representation in order to provide spokesmen for the religious and racial minorities. While this seems fair, critics of the Simon plan say that it is an attempt to break up the legislative assembly into small blocs which will fight each other futilely while the British continue to govern. At the same time control of the army would be taken away from India once and for all and be given to London as an imperial matter.

An attempt is made to meet the problem of the native states by having a council for Greater India, which would include representatives both of British India and of the states. This council would have "consultative and deliberative functions," with regard to a stipulated list of "matters of common concern." Assuming that the native states would send representatives to the council—an assumption which for some of them is probably incorrect—it would have some value. It is always useful to get men to come together and discuss who otherwise would never see each other face to face. But as meeting the demands of the Indians the plan is ludicrously inadequate.

All these details, however, are of little importance, except as they bear upon the tendency of the report as a whole. As we have already said, concessions which might have meant something 5 or 10 years ago are meaningless to-day. Twenty-four hours before the second volume of the report was made public, Mr. Negley Farson, correspondent in India of the Chicago Daily News, cabled to his paper a description of last Saturday's riots in Bombay, from which we quote a few sentences:

"Heroic, bearded Sikhs, several with blood dripping from their mouths, refusing to move or even to draw their 'karpans' (sacred swords) to defend themselves from a shower of lathi blows—

"Hindu women and girls dressed in orange robes of sacrifice, flinging themselves on the bridles of horses and imploring mounted police not to strike male volunteers, as they were Hindus themselves—

"Stretcher bearers waiting beside little islands of prostrate, unflinching, immovable Satyagrahis who had flung themselves on the ground grouped about their women upholding the flag of Swaraj—

"These were the scenes on the Maldan Esplanade to-day. . . .

"Dark-faced Mahratti policemen in their yellow turbans marched along in column led by English sergeants across the field toward the waiting crowd. . . . Crash! Whack! Whack! Whack! At last the crowd broke. Only the orange-clad women were left standing beside the prostrate figures of crumpled men. . . .

"A minute's lull and then, with flags flying, another column of volunteers marched onto the vast green field. A column of Mahrattis marched to meet them. They clashed . . . and again there was the spectacle of the green field dotted with a line of fallen bodies. . . .

"Here sat a little knot of men, their heads bowed, submitting

to a rain of lathi blows—refusing to move until completely laid out. . . .

"I stood within 5 feet of a Sikh leader as he took the lathi blows. He was a short, heavily muscled man. The blows came—he stood straight. His turban was knocked off. . . . He closed his eyes as the blows fell—until at last he swayed and fell to the ground. No other Sikhs had tried to shield him, but now, shouting defiance, they wiped away the blood streaming from his mouth. . . . [Restored to consciousness] the Sikh gave me a smile and stood up for more."

In this episode of a single day in a single city, 500 men stood and let themselves be battered into unconsciousness by the police, without lifting a finger in self-protection. They did this because they believe in "nonviolent noncooperation." Their action is a sufficient indication of the depth of the passion for freedom which the British are now combating. We wonder how many readers of the New Republic there are who care deeply enough for any cause to suffer for it what these Indians did.

Bombay is the answer to the Simon report. India to-day demands, in Gandhi's phrase, substantial independence—not necessarily in the form of complete freedom, but with nothing less than genuine dominion status. The Simon report gives her no such thing, now or in the near future. It is still possible that the conference may be held next autumn in London, and that it may produce some basis for agreement, but if so, it will be in spite of the Simon report and not because of it. This document on which so much labor has been expended is dead at birth; and the Indian revolution will ignore it and go on.

[From Young India, May 8, 1930]

NONVIOLENCE AT PESHAWAR

M. Abdul Qadir Kasuri, president Punjab provincial congress committee, Lahore, and president of the Punjab Satyagraha committee, has circulated the following statement:

"As various and conflicting versions of the happenings at Peshawar have been appearing from time to time, I have been at pains to discover the true facts as far as possible at this juncture. I have interviewed several responsible eyewitnesses, and after considering all the statements I believe the following version to be the nearest possible to truth.

"It is well known that the all-India congress committee deputation that went to make inquiry into the working of the northwest frontier regulations was stopped at Attock early in the morning of 22d of April and not allowed to proceed any further.

"Meanwhile all the prominent congress leaders and workers with a large crowd had assembled at the Peshawar railway station for a fitting reception to this deputation. When the news came through that the deputation was not allowed to come to Peshawar a large procession was taken out through the city, and in the evening a huge mass meeting was held to protest against the repressive policy of the Government. It was also announced at the meeting that the decision of the frontier provincial congress committee that had already been arrived at to picket the five liquor shops in the city would be given due effect to from the morning of the 23d.

"The frontier government, seeing the thoroughly businesslike preparations made by the congress committee to carry out the picketing and fearing that it would have great effect on the people, decided to arrest all the important leaders. Consequently, between 3 and 6 in the early hours of the morning of the 23d of April the following six people were arrested:

"1. Khan Ali Gul Khan, vice president provincial congress committee.

"2. M. Abdul Rahim, member provincial congress committee.

"3. Lala Pera Khan, general secretary frontier provincial congress committee.

"4. Mr. Acharaj Ram, volunteer, frontier provincial congress committee.

"5. Mr. Abdul Rahman, member, Naujawan, Bharat Sabha.

"6. Mr. Rahim Baksh Ghaznavi, Naujawan Bharat Sabha.

"At 6 o'clock in the morning, when the congressmen came to know of the arrest of the above six leaders, they met in the congress committee office, and there they also learned that warrants were out against Syed Lal Badshah, member, all-India congress committee and president war council, and M. Mohd Khan, secretary city congress committee, and immediately of their own accord, without any police officer's asking for their arrest, took them out in a procession to the police station just inside the Kabli gate and handed them over to the police officer there in charge. The crowd accompanying the procession thereafter in a very peaceful manner came back to the congress office. The arrangements for picketing were carried out duly and batches of volunteers were put on duty opposite the five liquor shops.

"At sunrise, as soon as the news got abroad that leaders had been arrested, there was a spontaneous barta! all over the city. At about 9.30, when a huge crowd was standing peacefully in front of the congress committee offices in a very orderly manner and giving a great ovation to the volunteers who were being sent out on picketing duty, a subinspector of police with armed constables came in a lorry to the congress committee office and told the person in charge there that he had with him two more warrants of arrest against M. Gulam Rubani

and M. Allah Bux. On receiving this news the crowd immediately made way for the two leaders to come out of the office, and they presented themselves before the subinspector, who put them in the lorry and proceeded to the town. When the lorry reached the Chowk Yadgar the wheel got punctured, and while the subinspector was thinking of sending for another lorry the two arrested gentlemen and the officials of the congress told the subinspector that instead of his going to so much trouble they would of their own accord present them in the thana just as the two other leaders had done earlier in the day. The police agreed to this and went away, and the procession started with these two gentlemen and reached the Kahli Gate thana. They, however, found the gates of the thana closed, probably due to the nervousness of the officer in charge there. The two leaders shouted out that they had come to offer themselves for arrest, but nothing was done until about half an hour later, when the subinspector, who had come to the congress committee office to arrest them, reached the spot and assured the officer in charge that the crowd was peaceful and that the two men were under arrest and had to be taken inside. The gates were opened and after they were taken in the crowd in a most peaceful manner, after giving a great ovation to the arrested leaders and raising shouts of 'Inqilab Zindabad,' started to go back toward the city. This fact should be noted, that though it was by now a little past 10 o'clock and the leaders had been arrested and some of them had voluntarily offered themselves for arrest and there was a complete halt in the city, nothing had been done by the crowd to give the least cause for the officers to have any apprehension.

"Under such circumstances, when the crowd had throughout been behaving in an exemplary manner and was returning toward the city, two armored cars full of soldiers came from behind without blowing the horn or giving any notice whatever of its approach, and drove into this crowd, regardless of the consequences. Many people were brutally run over, several were wounded, and at least three people died on the spot. In spite of this provocation the crowd still behaved with great restraint, collecting all the wounded and the three dead persons. We possess photographs of some of them. At this time an English officer on a motor cycle came dashing past. As to what happened to him it is not clear. There are two conflicting versions. The semi-Government version says that he fired into the crowd and one of the persons who was wounded by a shot struck him on the head and he died. The other version that has been given to me is that he collided with the armored car, which was standing by, and was killed as a result of the collision. Until some more inquiry is made it is difficult to say what are the true facts. At the same time one of the armored cars caught fire. Here, again, while it is alleged on the one hand that it was set fire to by the mob, the other version is that it caught fire accidentally. By this time, however, a troop of English soldiers had reached the spot and, without any warning to the crowd, began firing into the crowd, in which there were women and children also present. Now the crowd gave a good example of the lesson of nonviolence that had been instilled into them. When those in front fell down wounded by the shots, those behind came forward with their breasts bared and exposed themselves to the fire, so much so that some people got as many as 21 bullet wounds in their bodies and all the people stood their ground without getting into a panic. A young Sikh boy came and stood in front of a soldier and asked him to fire at him, which the soldier unhesitatingly did, killing him. Similarly, an old woman, seeing her relatives and friends being wounded, came forward, was shot, and fell down wounded. An old man with a 4-year-old child on his shoulders, unable to brook this brutal slaughter, advanced, asking the soldier to fire at him. He was taken at his word, and he also fell down wounded. Scores of such instances will come out on further inquiry. The crowd kept standing at the spot facing the soldiers and were fired at from time to time, until there were heaps of wounded and dying lying about. The Anglo-Indian paper of Lahore, which represents the official view, itself wrote to the effect that the people came forward one after another to face the firing, and when they fell wounded they were dragged back and others came forward to be shot at. This state of things continued from 11 till 5 o'clock in the evening. When the number of corpses became too many, the ambulance cars of the Government took them away. It is said that they were taken to some unknown place and, though they were mostly Mohammedans, the bodies were burnt. After this struggle the leaders of the public and volunteers collected all the remaining bodies. These alone come to 65 in number, and there is a list of these people kept.

"Two facts are noteworthy in this connection. One is that of all the dead collected by the congressmen there was not one single instance even where there was the mark of the bullet at the back. Further, all the wounds were bullet wounds and there was no trace of grape-shot. This is also an admitted fact, that neither the police nor the military nor anybody else alleges that there was any stick or weapon, blunt or sharp, with the persons in the crowd. The attitude of the crowd and the splendid hold that the congress had on the people is evidenced by the fact that in spite of the presence of the British troops patrolling the city, the picketing went on without a break and the batches of volunteers were sent according to the program. The whole day of the 23d the picketing continued and no arrests were made. Though section 144 was promulgated on the night of the 23d and the gathering of more than five was prohibited, the picketing was continued on the 24th, and the

order under section 144 was defied openly and peacefully. On the 24th three batches of volunteers were one after the other arrested, but more batches came and the picketing continued. The authorities, finding their policy of arrest prove unavailing, released the volunteers, and, it is said, also ordered the liquor shops to be closed for two months.

"At this stage it is very difficult to say what is the number of the dead and wounded. This much seems most likely, that the number of the dead is in hundreds, and a careful study of the situation seems to disclose this incident to be a repetition of Jallianwala Bagh massacre.

"It is a regrettable fact that the Government showed its customary heartlessness by providing no facilities even for first aid to the wounded, and all that they did was merely to cart away as many dead bodies as they could and burned them, as alleged, in some far-away spot, with a view to minimize the extent of the havoc caused by this merciless firing.

"These are the facts as far as I can gather them. On learning of this terrible incident I sent the following telegram to the chief commissioner of the northwest frontier province:

"Committee sending medical deputation for relief of wounded as result of firing at Peshawar. Hope deputation will be provided facilities for this humane work."

"I received the following reply:

"Have consulted local leaders, who authorize me to assure you that all arrangements for medical treatment have been made, and there is no need for you to send medical deputation. Please, therefore, do not send it."

"Thereupon I sent another telegram to the chief commissioner, intimating to him that I have received no reply to my telegram from the congress committee of Peshawar and asking how he could say that the leaders did not want any help. This telegram did not elicit any reply."

[From the New York Telegram, May 21, 1930]

SAROJINI NAIDU HELD, 250 HURT IN INDIA RAID—NATIVE POLICE CLUB AND KICK HUNDREDS IN ATTACK ON SALT PLANT—GANDHI'S SON ALSO TAKEN AS PLOTTER OF RIOTING—PORTERS LEADING INDEPENDENCE MOVEMENT INSPIRES DEMONSTRATION WITH FIERY SPEECH

By Webb Miller

BULSAR, SURAT DISTRICT, INDIA, May 21.—A mass attack of unarmed independence volunteers on the Dharasana salt works was turned back to-day by Indian Surat police, who kicked the attackers and beat and prodded them with lathis.

More than 200 were injured in the first attack, and at noon the volunteer leaders said that 250 casualties had been counted.

Mrs. Sarojini Naidu, the poetess leader who directed the attack, was arrested. Manilal Gandhi, second son of the imprisoned Mahatma Gandhi, also was arrested.

The injured were carried on stretchers to a temporary hospital, where the United Press correspondent counted more than 200 casualties.

The fight between police and volunteers lasted more than an hour.

Three of the injured raiders, including one of the leaders, were reported to be in a serious condition. They were treated by the National Congress Red Cross.

All Indian vernacular newspapers and one English-language newspaper published here suspended publication for two days to-day in protest against the revived press restriction ordinance.

DID NOT JOIN IN RAID

Mrs. Naidu herself did not actively join in the raid, but she inflamed the volunteers in a fiery speech only a few minutes before they marched to the salt pans. Later she went to the works herself and was arrested as she watched.

Imam Sahib, a colleague of Mahatma Gandhi in the latter's campaign in South Africa many years ago, and Pyralil, formerly Gandhi's secretary, also were arrested. The arrested leaders were charged with unlawful assembly.

ONE HUNDRED HELD IN BOMBAY

More than 100 were arrested in Bombay to-day, 95 of them when they attempted a third raid on the Wadala salt works, where a large but orderly and half humorous raid occurred last Sunday.

The others were arrested at the National Congress House when 300 police led by the deputy commissioner and 40 officers raided the buildings and seized a number of documents.

K. F. Nariman, advocate for the congress president, who recently was imprisoned on a charge of breaking the salt laws; Doctor Choksy, vice president of the local congress committee; the editor of the congress bulletin, and two secretaries of the congress committee were among the prisoners taken.

TURN WRATH ON BANK MANAGER

Several hundred volunteers invaded the offices of the Bank of India late to-day and obstructed business. They gathered as a result of a rumor that the European bank manager had assisted police in assaulting passive resisters.

Despite denials of the bank managers the demonstrators continued to crowd inside and outside of the bank, halting business.

The congress leaders said that 60 volunteers were injured by police in fighting when the Congress House was raided. At least 21 were treated at the hospital. A partial hartal was declared and the stock exchange, the cotton market, and other markets closed.

The mob manhandled two police inspectors near the Congress House after the raid.

[From the Chicago Tribune, June 22, 1930]
POLICE CRACK HEADS OF 500 IN INDIA RIOT

By Charles Dailey

BOMBAY, June 21.—More than 500 Nationalists were wounded and 350 were sent to hospitals, including 10 women, during a series of police charges on the Esplanade Maidan this morning as natives tried to march in review before Pundit Nuhru, acting president of the All-India Nationalist Congress. The savagery of the police attack exceeded any since the Nationalist revolt developed, while the populace was further inflamed by the presence of troops, who stood ready to respond to a police call.

Only the disciplined refusal of the Nationalists to attempt violence averted what is generally believed would have been a slaughter, since authorities were prepared for any eventualities.

CALL 30-DAY STRIKE

Within an hour after the riot all Indian shops were closed with revolt leaders calling a month's cessation of business activities to protest police action. Witnesses say that the brutalities of the police equaled that of the Wadala and Dharsana raids a month ago.

To-day's clash occurred as result of the defiance of the magistrate's order forbidding the use of the esplanade for the review. The police and troops massed at sunrise, while the nationalists began assembling before 7 o'clock for the rally under the direction of the "war council." Pundit Nehru and other members of the congress witnessed the attack from a driveway. Government officials are determined to brook no further defiance of the laws following to-day's incident, which may bring the campaign to a crisis. The "war council" approved to-day's rally after receiving word of the court's edict.

At 7.45 o'clock captains and volunteers from all parts of Bombay entered the esplanade. This was a signal for the police charge, personally directed by Commissioner Healey. Five hundred policemen, some mounted, took part in the charges, using clubs. Many natives fell under the horses' hoofs.

WOMEN TRY TO SAVE MEN

Among the volunteers were many women. Police made three charges. Ten women required hospital treatment. Five are still there. These women formed a cordon around a group of Sikhs when police attacked. They with the Sikhs were ridden down, and at least five were badly injured. The Sikhs held firmly to their positions and practically every one was hurt.

After two more charges the esplanade was cleared. The nationalists attempted to parade, but were dispersed. The "war council" met again to-night and proclaimed Mahatma Gandhi's drive will be carried on.

A striking feature of to-day's defiance of the law was the thorough preparation by the "war council." Stretcher bearers and hospital equipment, including surgeons and nurses, were on the scene, and first aid was followed by the rapid removal of the victims to the hospitals.

HUNDREDS OF SHOPS CLOSE

Within an hour hundreds of native shops throughout the city were closed. Numerous foreign business houses closed, when Indian employees deserted. The stock exchange closed early, its members themselves forming a parade, which the police suppressed without violence.

Volunteers attempting to enter the Esplanade Maidan marched behind the nationalist flag, singing national songs. Each group, accompanied by women, held firmly until it was ridden down by mounted sepoys. One foreigner asked the women if they were protecting the men, to which the women remarked:

"We are here to defy the magistrate's order."

REBELS MASS IN STREETS

The streets are filled to-night with natives in homespun. Speakers at mass meetings to-night counseled nonviolence, telling the people not to yield before troops or police.

President Nehru and other leaders will go to Ahmedabad, where next week further moves by the nationalists are contemplated. There will be a great demonstration on Tuesday for the denunciation of the expected findings of the Simon commission. "No round table without Mahatma Gandhi" will be the slogan.

[From the New York Telegram, June 11, 1930]

STOICISM OF INDIA VOLUNTEERS DURING DHARASANA SALT RAIDS AMAZES AMERICAN WRITER—MILLER. IN DELAYED DISPATCH, GIVES FIRST-HAND ACCOUNT OF CONFLICT IN WHICH HUNDREDS OF UNRESISTING FOLLOWERS OF GANDHI WERE BEATEN, AT LEAST ONE SO BADLY HE DIED

(Editor's note: Herewith is a picture by an American reporter of what actually happened at the Dharsana salt raid, near Bombay, on May 21, when hundreds of native volunteers were beaten in their passive

approach to the salt pans. It was written by Webb Miller, European news manager of the United Press, who witnessed it during his tour of India to investigate conditions there. Miller's cabled account of the affair, filed at the time, was withheld by censorship. The following complete story was sent by mail.)

By Webb Miller

DHARASANA CAMP, SURAT DISTRICT, BOMBAY PRESIDENCY, May 22 (by mail).—Amazing scenes were witnessed yesterday, when more than 2,500 Gandhi "volunteers" advanced against the salt pans here in defiance of police regulations.

The official government version of the raid, issued to-day, stated that "from congress sources it is estimated 170 sustained injuries, but only 3 or 4 were seriously hurt."

About noon yesterday I visited the temporary hospital in the Congress Camp and counted more than 200 injured lying in rows on the ground. I verified by personal observation that they were suffering injuries. To-day even the British-owned newspapers give the total number as 320.

Most of them were only lightly injured, some were bleeding from head wounds and some had fractures of wrists and arms. The great majority had contusions from blows of lathis, or long rods, carried by the police. A few had internal injuries resulting from jabs and punches in the abdomen with lathis. One volunteer has since died. For some time after I visited the hospital lines of stretcher bearers continued to bring injured.

A BAFFLING SCENE

The scene at Dharsana during the raid was astonishing and baffling to the western mind, accustomed to see violence met by violence, to expect a blow to be returned and a fight result. During the morning I saw and heard hundreds of blows inflicted by the police, but saw not a single blow returned by the volunteers. So far as I could observe, the volunteers implicitly obeyed Gandhi's creed of nonviolence. In no case did I see a volunteer even raise an arm to deflect the blows from lathis. There were no outcries from the beaten Swarajists, only groans after they had submitted to their beating.

Obviously, it was the purpose of the volunteers to force the police to beat them. The police were placed in a difficult position by the refusal to disperse and the action of volunteers in continually pressing closer to the salt pans.

Many times I saw the police vainly threaten the advancing volunteers with upraised lathis. Upon their determined refusal to recede the lathis would fall upon the unresisting body, the volunteer would fall bleeding or bruised, and be carried away in a stretcher. Waiting volunteers, on the outskirts of the pans, often rushed and congratulated the beaten volunteer as he was carried off the field. It was apparent that most of the injured gloried in their injuries. One leader was heard to say, "These men have done a great work for India to-day. They are martyrs to the cause."

POLICE ARE RELUCTANT

Much of the time the stolid native Surat police seemed reluctant to strike. It was noticeable that when the officers were occupied on other parts of the line the police slackened, only to resume threatening and beating when the officers appeared again. I saw many instances of the volunteers pleading with the police to join them.

At other times the police became angered, whereupon the beating would be done earnestly. During several of these incidents I saw the native police deliberately kick lying or sitting volunteers who refused to disperse. And I saw several instances where the police viciously jabbed sitting volunteers in the abdomen with the butt end of their lathis.

After the failure of the early attempts to lasso the barbed-wire entanglements and pull them down, which resulted in many of the beatings sustained by volunteers, the Swarajists adopted a passive attitude of pressing as closely to the entrances as possible and sitting in groups in front of the police or lying on the ground. When they ignored orders to disperse the police stood over them with lathis and sometimes during minutes made motions of striking. The volunteers sat silently and finally the police were forced to strike. Usually only a few blows were inflicted upon each man except when the police became angered.

CHANGE IN TACTICS

About 9 a. m. the officials apparently changed their tactics and instructed the police to drag the sitting and lying volunteers away from the pans. During a half hour groups of 2 and 4 police seized volunteers and slowly dragged them by legs and arms over the ground and dropped them about 100 yards away. Frequently the volunteers would arise and press forward again.

In three or four cases the police carried volunteers and bodily heaved them into the deep ditches surrounding the salt pans. At one time my clothes were spotted with mud from the splashes.

I saw several volunteers who were struck with lathis at the edge of ditches fall into the water and lie half submerged on the bank until stretcher bearers fished them out.

Once an excited volunteer near me, in a burst of exaltation, yelled in good English repeatedly to the British Superintendent of Police Robinson, of Surat, directing operations from the opposite side of the narrow ditch: "Here is my breast! Shoot me! Kill me! It is for my country!" He tore his smock open and exposed his bare chest.

ARRESTED FOR TALKING

A few minutes later I was standing with an Indian newspaper correspondent when a volunteer approached and opened conversation by asking who I was. Robinson hurried over and arrested the volunteer and sent him to the barbed-wire inclosure. Robinson said to me, "This fellow is a bad character."

I explained to Robinson that I was a neutral American correspondent. Just after this a contingent of about 25 native police, in khaki shorts and turbans, armed with rifles, were drawn up on a knoll in front of where I stood. A group of about 50 lathi police were deployed, and under the direction of Robinson commenced a slow advance against the crowds of volunteers who were then about 100 yards from the pans awaiting their turns to advance to the pans in groups.

Robinson instructed the Indian correspondent and me to stand aside from in front of the riflemen. The crowds slowly retreated without clashes. But within a few minutes on the left flank some volunteers refused to move and the beating with lathis recommenced. About a dozen volunteers were struck down in this fracas and carried away. Although it was occurring more than 100 yards away the thuds of the blows were audible to me and to the crowd.

STRUCK MAN ALREADY DOWN

Once I saw a native policeman in anger strike a half-submerged volunteer who had already been struck down into a ditch and was clinging to the edge of the bank. This incident caused great excitement among the volunteers who witnessed it.

My reaction to the scenes was of revulsion akin to the emotion one feels when seeing a dumb animal beaten—partly anger, partly humiliation. It was to the description of these reactions that the Bombay censorship authorities objected among other things.

In fairness to the authorities it must be emphasized that the congress volunteers were breaking laws or attempting to break them, and that they repeatedly refused to disperse and attempted to pull down the entanglements with ropes, and that the volunteers seemed to glory in their injuries.

In 18 years of reporting in 22 countries, during which I have witnessed innumerable civil disturbances, riots, street fights, and rebellions, I have never witnessed such harrowing scenes as at Dharasana. The western mind can grasp violence returned by violence, can understand a fight, but is, I found, perplexed and baffled by the sight of men advancing coldly and deliberately and submitting to beating without attempting defense. Sometimes the scenes were so painful that I had to turn away momentarily.

One surprising feature was the discipline of the volunteers. It seemed they were thoroughly imbued with Gandhi's nonviolence creed, and the leaders constantly stood in front of the ranks imploring them to remember that Gandhi's soul was with them.

[Editorial from the Chicago Tribune June 28, 1930]

THE CONFLICT IN INDIA

The Simon report on India, the second section recently released, has been generally accepted in Great Britain and rejected in India. A few English radicals did not think it was much, but all Indian revolutionaries thought it was nothing. It recommended extensions of suffrage, more preparation for a greater degree of self-government, and slow approaches to a country of federated states, with the withdrawal of Burma from Delhi control.

Both the British and the revolutionists seem to agree on one thing—that present difficulties will not find any remedy in conciliation. Gandhi's followers want dominion status now. The British Government has no intention of granting it, not even the Labor government of Mr. MacDonald, which could be expected to be the most liberal of all. Conciliation being thus seemingly removed from possibility, the conflict passes into another stage, in which both repression and resistance are tightened up.

Charles Dailey, writing for the Tribune in Bombay, says that official India has taken the report as a basis for the extension of repressive ordinances, for tighter suppression of demonstrations, for more arrests, and more severe punishments. The wearing of revolutionary symbols, such as Gandhi caps, is forbidden. Parades are not allowed and demonstrators are severely beaten. In resistance taxes are evaded, British goods are boycotted, the banks are losing deposits, and lawyers are leaving the courts. Gandhi's doctrine of resistance without violence mainly prevails, and revolutionists attacked by the police have taken severe punishment without striking back. Nevertheless force is being met by force and there is nothing in human experience with such conflicts to indicate that the decision can be by anything else.

The Indian leaders want one thing. The British want another. The two are not reconcilable. A native government with full powers can not exist alongside a British government with superior powers. The Indians can not be free under British restraint. If they gain their freedom, the British are out, as they are in the white dominions. A free government of one color can not exist under the overlordship of another. There can be various forms of participation in government, in representation, and on the civil list, but that will not be freedom,

and it will not give India the place of Canada or South Africa, in which the consent of the Dominion decides its relation to the commonwealth. There are two conflicting orders of society. One may be regarded as better than the other, but they can not be harmonized. The India of native government might not be as orderly, as well administered, as secure from internal disturbance or external attack, as safe on the side of public health, or in the enjoyment of individual rights as British India now is. What the world generally regards as the best standards of civilization might not be so well maintained, but if the Indians must get them from the British they must get them as a subject people, and they are not seeking excellence of government or of living in such a status. They are not asking the improvements of white civilization from the British but freedom from the constraints which must attend that civilization.

What they ask of Great Britain is its withdrawal. The conqueror is to pack his trunk and go back home. The demand is virtually for the surrender of occupied territory. It comes to that. The British are to furl their flags and get out. They are not likely to accept conditions which would make them take orders from the people they have ruled. Freedom means that and has no substitute for it. The British could abolish the salt tax and take that argument away from the revolutionists, but a correction of alleged abuses in government does not take the governed out from under the control of the governor.

The side which prevails will be the side with the superior force. It need not be superior because it is most violent. Passive resistance might wear out armed forces, particularly when a so-called liberalism fears to use all the deadly force it can. The settlement in India will be by the strongest having their way.

Mr. BLAINE. I now offer a resolution and ask that it be read by the clerk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution will be read.

The resolution (S. Res. 326) was read, as follows:

Whereas in a joint statement made by the President of the United States and the British Prime Minister on October 10, 1929, proposing the London naval conference it was solemnly declared: "In signing the Paris peace pact 56 nations have declared that war shall not be used as an instrument of national policy. We have agreed that all disputes should be settled by pacific means. Both our governments resolve to accept the peace pact not only as a declaration of good intentions but as a positive obligation to direct national policy in accordance with this policy";

Whereas since the launching of the campaign by Gandhi to obtain for the people of India their national independence by civil disobedience and allied nonviolent means, British armed forces are being freely and ruthlessly used to thwart the people's determination to be free;

Whereas even the strictly British-censored news dispatches by neutral American correspondents tell us of the wholesale massacres of peaceful Indian people by British police, British soldiers, and British auxiliary forces;

Whereas British armored cars and patrol tanks have been deliberately driven over the bodies of peaceful demonstrators killing, maiming, and injuring hundreds of men, women, and children;

Whereas British airplanes are bombing the civil population of India, their homes and their women and children, wiping out villages and harvests, and in a single day five thousand 120-pound bombs were dropped in one district by 82 airplanes;

Whereas British cavalry and other armed forces have freely been used to disperse peaceful demonstrations in Bombay and other cities, killing and injuring hundreds of men, women, and children;

Whereas Britain has revived flogging and public whipping, punishments long ago relegated by the civilized world to the age of barbarism;

Whereas Britain has refused and is refusing to give medical aid to those maimed and slain by her atrocities and British armed forces are destroying medicines, medical appliances, and even emergency hospitals of Indian nationalists in shameful violation of the laws of humanity and of the International Red Cross covenants; and

Whereas Britain has replaced the rule of the law by the rule of the sword and executive ordinances, such as the Bengal ordinance whereby any Indian can be arrested and detained without warrant and without trial; the press ordinance, which has virtually muzzled and suppressed the Indian press; the judicial ordinance of Lahore, legalizing trials without jury and denying any appeal against any judgment by any British tribunal; the seditious-meetings ordinance, prohibiting any assembly of more than five to discuss any matter of any interest; the instigation and intimidation ordinance, prohibiting criticism of any act of the Government; and other similar measures: Be it therefore

Resolved, That the Senate of the United States deplores such acts of violence, infamy, and inhumanity committed by one signatory of the Kellogg pact against another signatory of the peace pact; and be it further

Resolved, That as India is an original signatory of the Kellogg-Briand peace pact the United States Senate instructs the State Depart-

ment to use its best offices to insure peaceful settlement of the Indian struggle, with no abridgment of the just rights of the people of India, who are seeking to emulate our own national independence.

The VICE PRESIDENT. The resolution will be printed and lie on the table.

PROPOSED STEPHEN G. PORTER INSTITUTE

Mr. SMOOT. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Utah?

Mr. JOHNSON. I yield.

Mr. SMOOT. I introduce a Senate joint resolution and ask that it be read and referred to the Committee on Finance.

The VICE PRESIDENT. That can be done only by unanimous consent.

Mr. SMOOT. I ask unanimous consent.

Mr. ROBINSON of Arkansas. Let it be read.

The VICE PRESIDENT. The joint resolution will be read.

The Chief Clerk read the joint resolution, as follows:

Joint resolution designating the first United States narcotic farm to be established near Lexington, Ky., as the Stephen G. Porter Institute

Whereas the act approved January 19, 1929 (U. S. C., Supp. III, title 21, sec. 225), authorizes the establishment of two United States narcotic farms for the confinement and treatment of persons addicted to the use of habit-forming drugs who have been convicted of offenses against the United States, and for other purposes; and

Whereas the late Congressman Stephen G. Porter, of Pennsylvania, author of the above-mentioned law, was interested in the rehabilitation and restoration of health of persons addicted to the use of habit-forming narcotic drugs; Therefore be it

Resolved, etc., That the first United States narcotic farm to be established near Lexington, Ky., shall hereafter be known officially as the Stephen G. Porter Institute.

Mr. SWANSON. Mr. President. I should like to ask the Senator from Utah if this is a joint resolution.

Mr. SMOOT. It is a Senate joint resolution.

Mr. SWANSON. I do not see how a joint resolution can be introduced at this special session of the Senate.

Mr. SMOOT. I ask unanimous consent that it be done.

Mr. SWANSON. I understand; but this is a special session.

Mr. SMOOT. If there is any question about it, I will withdraw the joint resolution.

Mr. JOHNSON. Mr. President, I dislike exceedingly to see the Senator from Virginia occupy so much time when this important subject of the treaty is pending before us.

Mr. SWANSON. I am in favor of the joint resolution, but I do not think it is in order to present it at this time.

Mr. WALSH of Montana. Mr. President, if the Senator from California will pardon an interjection here, I do not like to see unchallenged the assertion that at this or at any other session of the Senate, whether the other House is in session or is not in session, the Senate is in any wise whatever restricted in the business which it may transact.

I know there is a very common opinion that when the Senate is called in extra session it can transact no business except that which is generally characterized as executive business. I think that idea is in plain contravention of the explicit language of the Constitution of the United States. It became the subject, I might say, if the Senator will pardon me, of very extensive discussion before this body in the year 1856, when, by reason of some complications, the House of Representatives was delayed in its organization for a period of some six weeks. They were unable to elect a Speaker; and the question arose then as to what business could be transacted by the Senate in the absence of an organized House of Representatives.

It was, in the first place, insisted that the Senate could transact no business whatever except that which was strictly executive in character; and they went on upon that idea for some time, until the pressure became very great; and finally it was concluded that the Senate could appoint its committees, which it proceeded to do. Then, a little later on, it was conceived that bills might be introduced, but nothing could be done with respect to them; and I think it was at about that stage that the organization of the House was effected, and the progress was interrupted.

But, Mr. President, it seems to me the Constitution is perfectly plain upon the matter. It declares that the President of the United States may, on extraordinary occasions, convene both Houses of Congress, or either of them; so that the President of the United States may convene an extra session of the House of Representatives just exactly the same as he may convene an extra session of the Senate. If he may convene an extra session of the House of Representatives, which has no power except legislative power, of course the House can proceed with its legislative business; and if it transacts any business which

should come to the Senate, it may be passed by the Senate when it comes here.

It seems to me, therefore, that there can be no question about the right to appoint our committees, fill all vacancies that may exist in committees, introduce bills and have them referred to the committees, have reports made from the committees, and even pass legislation, to be transmitted to the House whenever the House is in a situation to receive communications from us.

Mr. SMOOT. Mr. President, as long as there is some question about it, I will withdraw the joint resolution and wait until the regular session to present it.

Mr. SWANSON. Mr. President, I simply want to make one suggestion in reply to the Senator from Montana. When that debate was held the House of Representatives was in session. There is a vast difference between the House of Representatives being in session and failing to function, and one body only being in session.

REGULATION OF TELEPHONE RATES

Mr. CARAWAY. Mr. President, I have before me an article printed in the Vinita (Okla.) Daily Journal entitled "United States Senator COUZENS, of Michigan, and United States Senator WHEELER, of Montana, have struck a gold mine." It deals with a matter of legislation in which the gentleman who sends me the article, Mr. I. H. Nakdimen, a very prominent banker of my State, is greatly interested. He asks me to request that it be incorporated in the RECORD, and I ask unanimous consent that that may be done.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Vinita Daily Journal, Vinita, Okla., Monday, February 10, 1930]

UNITED STATES SENATOR COUZENS, OF MICHIGAN, AND UNITED STATES SENATOR WHEELER, OF MONTANA, HAVE STRUCK A GOLD MINE

This mine, if properly managed, will save the people millions upon millions of dollars in reduction of telephone rates.

Some time ago Senator COUZENS introduced a bill proposing Federal regulation for telephones and also suggested a commission be appointed.

President Gifford, of the American Telephone & Telegraph Co., was directed to furnish the Senate Committee on Interstate Commerce with a set of comparative figures for each State in the Union showing the valuation upon which its rates are based and the valuation on which its taxes are assessed. During the examination of Mr. Gifford he became indignant, I suppose, because the Senate was putting a flashlight on some of his manipulations.

It is a wonder if Senator COUZENS and Senator WHEELER would ask Mr. Gifford the following questions:

Why did the American Telephone & Telegraph Co. increase their capital stock in 1917 from \$20,000,000 to \$50,000,000?

Why did the American Telephone & Telegraph Co. increase their capital stock in 1920 from \$50,000,000 to \$200,000,000?

Again, in 1927, why did they increase their capital stock from \$200,000,000 to \$300,000,000?

Then, in 1928, just a year thereafter, why did they increase their capital stock from \$300,000,000 to \$1,320,309,300?

Now, will Senator COUZENS and Senator WHEELER ask Mr. Gifford what became of that billion dollars' worth of stock issued in 1928? Was that sold to the public? If so, what became of the money? If it was sold to the holding company, the American Telephone & Telegraph Co., what did the holding company pay for it? It is a wonder if Senator COUZENS and Senator WHEELER would insist upon an explanation of what became of that \$1,000,000,000 stock. And why did they issue it?

When they get through finding out what became of the \$1,000,000,000 stock I think Mr. Gifford, the president, will not be so indignant.

A caution to Senator COUZENS and Senator WHEELER: Watch so the American Telephone & Telegraph Co. in testifying about their figures don't mix in the General Electric Co. and the 24 Bell Telephone groups, each having telephones in several States. They always try to mix the three of them together for the purpose of confusing. Bear in mind each one is a separate corporation. One has nothing to do with the other.

I suppose Senator WHEELER and Senator COUZENS will find out why the giant corporation has only 11 directors. They used to have 13. That proves it is a very close corporation.

When Senator WHEELER, of Montana, suggested Federal regulation, Mr. Gifford said that Federal regulation would be unwise in telephone rates. Why, of course, it is unwise for Mr. Gifford. If Federal regulation is adopted, here is what the Government is going to find: That the total resources of the telephone company is three and one-half billion dollars. Their funded indebtedness is only \$535,772,498. They will find their surplus and reserve \$1,117,735,192.

With a small indebtedness and a surplus more than twice the amount of the indebtedness, with a gross income of a billion dollars a year, with a conservative management, fully a half billion dollars net profit a year, why are they continually raising the rates, and why did they put on the market only a few days ago \$150,000,000 bonds, and why only a

few months ago did their stock go down \$150,000,000 in one day? All this is very important for the public to know.

As a result of a thorough investigation you will find that the telephone rates in this country could be reduced 100 per cent, and then there would be anywhere from 20 per cent to 30 per cent profit upon the actual investment.

Isn't it a fact that the only reason why they issue an enormous amount of stock and bonds is so that it will be in line and in comparison to their enormous profits?

When the United States Senate digs into the matter the supposition is they will find themselves in a river of gold. Discovery of oil is not in it in comparison to the enormous amount of money flowing into the Bell Telephone Co.'s system, the American Telephone & Telegraph Co.'s system, and the General Electric Co., all of which are controlled by Mr. Gifford; and the enormous profits will no doubt stagger the Senate, and it is high time for the Senate to dig into it and dig until they get to the bottom.

Why, the Bell Telephone Co. is trying to dictate the policy of our towns, our counties, our States, and the United States, and if the United States allows them to continue the Bell Telephone Co. will say who should go to the Senate, who should go to Congress, and who should be appointed or elected on the bench. They are bragging now that they control the politics—even the cowcatcher.

Is Congress going to allow the Bell telephone system to elect the United States Senate? Or are they going to let the people elect them?

It is high time for the United States Senate to unite and stand together and weed out the Senators who are trying to carry water on both shoulders. It is high time for Congress to use the iron hand like Teddy Roosevelt did during the investigation of the insurance companies.

The Bell telephone system is trying to follow the English style. The entire country is owned by a very few. This will do for England because England has a king, but it will never do for a country like America, because every man in America is his own king.

It seems like Congress is giving time and attention and spending millions of dollars to break up a pint of whiskey. While we agree with them that it is a good work, at the same time they shouldn't allow their minds to be distracted from other important abuses—allowing the public to be robbed two ways: One way by the sale of watered stocks, and another way by continually increasing the rates.

There was a time when all the newspapers in this country were the mouthpieces of the public. Unfortunately, now some mislead and some are owned and controlled.

The people hoped the Federal Trade Commission would do some good, but up to the present time they have been airing out, without any results.

Will Rogers say that the entire European Continent is making a joke out of our laws. When a man steals a million dollars in this country they send him to the Senate or make a hero out of him. Gossip of this nature is not creditable to our great country.

Dig into the charges. Dig into the expenses. Dig into the pet salaries and unuseful advertising. I venture to say you could allow them 20 per cent upon their actual investment and cut the rates 100 per cent from what they are now, and you will then have plenty surplus.

Bear in mind we have close to 5,000,000 people out of work, one-fourth of the working population out of work, paying exorbitant prices for their necessities, and if they have saved a little money the telephones and public utilities have taken it away from them by selling them watered stock.

I desire to call your attention to the statements made only a few days ago of the Bell Telephone Co. in Pennsylvania and the Michigan Telephone Co.

On February 3 the Bell Telephone Co. of Pennsylvania published a statement that after paying taxes and interest their stock paid \$60.98 on a share. The stock is \$100 a share and, I suppose, that is some of the stock that has no par value. Now, bear in mind it is paying \$60.98 on a \$100 share. Don't that show that they need investigation? Don't that show they need some supervision? Don't that show that they are just extracting millions upon millions from the public's pocket, when their profit is \$60.98 a share and a share is \$100? Yet they are traveling from town to town and demanding an increase in rates.

The Michigan Telephone Co. applied to the commission to issue \$32,000,000 stock. Now, let us see what they did with the \$32,000,000. Out of the \$32,000,000 they have allowed them to issue \$25,000,000 common stock and the remainder of \$7,000,000, I suppose, they are going to spend for betterments and pay for refunding short-time notes they claim have been issued. To show you the inconsistency of the Michigan statement, this will give them \$110,000,000 common stock. The present funded debt is only \$1,482,500 in bonds and \$46,066,228 in demand notes. The question is, like I said before, What are they doing with the money they get from selling common stock?

It is amazing why the Missouri Utilities Commission filed a protest against creating a Federal commission to regulate telephone and electric utilities.

It seems a Federal agency would be an assistance to the State Public Utility Associations.

Is the Missouri Utility Association familiar with the telephone condition in Missouri? If so, let them tell, if they know, what the Bell telephone's condition is in Kansas City. Who owns that exchange, the Bell Telephone Co. or the Gary interests, or what is known as the independent telephone?

A few years ago, the Bell attempted to buy out the Gary interests, or the independent telephone, and the public bitterly opposed it.

Is the Missouri Utilities Commission in a position to say whether Mr. Gary still owns it? Or does the Bell own it? If the Bell does own it, did the commission give consent, without the knowledge of the public, to the sale?

The Senate will not make a mistake in putting the flashlight there and seeing what happened—the public being against the Bell's controlling the Kansas City independent telephone system.

Talking about the utilities commission—some States call it corporation commission, and some States have other names for it, what did the commission ever do in regard to reducing rates of the telephone? Show me one commission of any State in the Union that has been successful in overpowering the octopus Bell, as far as reducing rates. To the contrary, rates have been continually increasing, without being stopped by the Missouri Utilities Association, or any other association. Then why should the Missouri Utilities Commission object to the Federal Government creating a Federal agency to help the State agency keep the octopus from the public's pocket?

Has the Missouri Utilities Association ever investigated the charges the Bell is exacting from the independent telephone companies or from the hotels and from long-distance users? They are overcharged and overcharged again on rates. The hotels and independent telephone companies are slaves for the Bell Telephone system and every man who puts in a long-distance call is overcharged on time, and there is no way for him to know it unless he puts a calculagraph on his telephone.

I noticed where Henry A. Barnhart, president of the Indiana Telephone Association, in a statement presented to the Senate Interstate Commerce Committee, opposed Senator WHEELER's and Senator COUZENS's bill. Why should he object? Ask him if it isn't a fact that the Bell Telephone Co. isn't the largest contributor to the independent telephone associations. He gave as the reason for being against it because it would entail endless confusion and hardship on the telephone company.

Now, why should it? That is a flimsy alibi from a man who is supposed to be president of the Independent Telephone Association.

George X. Cannon, general manager of the Stevenson County Telephone Co., appeared before the committee against Senator WHEELER's and Senator COUZENS's bill.

Ask him if his company is not owned indirectly by the Bell—either owned indirectly or by a loan. In other words, everyone who has been protesting against Senator COUZENS's and Senator WHEELER's bill, you will find on investigation, is owned or controlled by the Bell Telephone Co. through some channel.

Mr. F. B. McKinnon, president of the United States Independent Telephone Association, testified in behalf of the Bell Telephone Co.

In other words, the independent telephones are scared and fear the Bell will punish them if they do anything against the Bell's wishes. The majority of the independent telephone associations are controlled by the Bell by reason of the Bell being a member of the independent telephone associations and paying more than anyone else in the association.

The Bell Telephone Co. has the independent telephone companies and the hotel men—out of whom they make the most money—scared because some independent telephone companies attempted to make a more reasonable contract with the Bell, and owing to the fact that the poor independent telephone companies are not able to spend a dollar where the Bell Telephone can spend a hundred thousand dollars, the Bell was able to wear out the independent telephones or anyone else who attacked them—either through their power of unlimited money or through influence, or in some other way. Therefore it is entirely with the United States Senate to remedy the condition that now exists in the telephone line.

The condition is more serious than it was 25 years ago when Paul Latzie wrote the book, *A Fight with an Octopus*?

This giant financial octopus has no supervision. It is not responsible to any regulatory body in regard to the amount of stock or bonds issued or the security back of it—or for the rates they charge the public on long distance or rates charged to independent telephone companies or hotel men. The biggest profit in the telephone business is the long distance. There is where they are robbing and robbing again—first on the rates; second, on the time—and every time a commission attacks its rates the Bell comes out victorious.

Now, Mr. United States Senator, please see if you can relieve the public of the octopus.

INVESTIGATION BY TARIFF COMMISSION—INFANTS' WEAR, ETC.

Mr. COPELAND. I submit a resolution relating to the tariff, and ask that it may lie on the table until the proper time for its consideration.

The resolution (S. Res. 325) was read and ordered to lie on the table, as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Infants' wear classified under paragraph 1114 (d) of such act; matches, friction or lucifer, of all descriptions, etc., as classified under paragraph 1516 of such act.

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. JOHNSON. Mr. President, strange as it may seem, this is the first time during the debate on the London treaty that I have been able to address myself to any of the terms of that treaty. Such things as have heretofore emanated from this quarter have concerned procedure, and upon them some remarks I have indulged; but this is the first time, to-day, that I have been so guilty of lese majesty, as we realized this morning I am now guilty of, that I have attempted to address myself, or the opportunity has presented itself for me to address myself, to the treaty pending before the Senate.

I realize that no further debate is necessary with some of my brethren. I understand full well that the two treaty proponents who were plenipotentiaries in London, and now advocates upon this floor, have spoken, and inasmuch as they have spoken, debate forthwith should cease.

I recognize, of course, that no other man upon this floor ought to in any degree raise his voice or speak his mind upon this treaty now. They have spoken! You have heard them here the last couple of days. They have spoken, and the leader upon the Republican side, doubtless with the sympathy of that vast majority which he says this morning he controls, believes, the two plenipotentiaries at London and the two advocates in the same individuals on this floor having spoken to the Senate, no other man ought to be permitted to speak or to argue upon this treaty.

So it was this morning, when the leader of the Republican Party here, the Republican Party of which I am a very humble member, but with which I can not go when it says it is presenting a treaty in a political campaign as a political asset for that party—when the Republican Party says to me upon this floor that it will stifle or gag me by cloture, I say to them, as I said this morning, go on and stifle, and gag, and invoke your cloture upon this side. We will present this case as best we can, whether there be 1 or 2 or 3 or 4 or 5 men upon this floor willing to commit lese majesty in this land of ours, and say what they believe in respect to their country and their country's defense.

What a wicked thing it is. If I stood here to-day and made a speech in behalf of Great Britain in regard to this treaty, half the newspapers of New York City would in great type tell of the wonderful feat and the marvelous speech, and how I had stood here upon the floor of the Senate in behalf of a great moral movement. Were I to stand here and speak in behalf of Japan, were I to say what would be desired by some of my brethren in behalf of that island, for which I have a great respect, and no hatred, no matter what may be said to the contrary, were I to stand here preaching the doctrine of Japan, the same newspapers throughout the land would rank me a great statesman.

But, sir, because I dare stand on this floor, born where I was born in this great country; because, sir, I dare stand here and speak from my heart and my whole soul for the principle that is mine, for that reason I am a jingo, and I am appealing to the baser passions of the American people, I am doing something which ought to merit opprobrium and denunciation from a large part of the American press.

That is the situation which confronts us to-day in respect to this treaty. Let any man prate in generalities of the stuff with which we are familiar, and a great statesman is he. Let any man stand here with his head high and speak for his own, and for those who are to come after him—ah, what a miserable, jingoistic individual he is, and how little he should be heeded by the people of this Nation.

Mr. President, how seductive are the words "reduction in armament" and "limitation in navies." When to these seductive phrases is added a tear-stained plea for peace, in generalities, then to the ordinary individual an argument has been presented which is well-nigh irresistible. Do not examine the

idea of reduction of armament, do not demonstrate that it is sham and fictitious, but just say, "reduction of armament," and then what a welter of applause is yours.

When you speak of limitation of armaments and of navies, do not go into the details, do not dare inquire, where is the limitation in any such document as this? Do not do that, or you will bring down upon your devoted head the opprobrium and the denunciation of a very large part of our people, and a much larger part of our press.

"Reduction in armaments." "Limitation of navies." I say, sir, the reduction of armament by this treaty is a sham, a delusion, a snare. I say, sir, that limitation of armament under this treaty is sham and fictitious. There is naught of either in this treaty which is presented to us. It is a treaty which had to be brought home. It is a treaty which will plague you gentlemen on the other side of this aisle.

No man ought to consider a subject of this sort from any political standpoint. I regret that the Republican National Committee has been so treating it, and has been sending forth its publicity about this treaty as one of the great Republican achievements. None should consider the question of this country's defense as a political question. None should for an instant indulge in any argument, political in character, upon that which may mean the future of his nation, and may affect in the days to come that nation's welfare and that nation's influences and interests.

Mr. President, it is a difficult thing to talk about a treaty technical in character such as this is. It is difficult to speak of it because you get into militaristic terms, and then when you discuss in militaristic terms the details of the treaty at once you are accused of being militaristic.

Nothing is further from me than to be militaristic at all. Nothing is so far from my ideas as to desire war with any people on the face of the earth. War, none desires. Militarism, practically all abhor.

The question that is here presented, however, is a treaty that is technical in character, which of necessity deals with questions of war; and which at London, with meticulous care, in the light of possible wars, the terms of it were determined by the representatives of the five nations assembled there.

Let me say in the beginning, some of you detest admirals, and so you take a minority of admirals to demonstrate what a majority deny. As in this instance, where the ratio is 5 and 6 to 1 concerning the experts who testified, these gentlemen who favor this treaty will take one-fifth of those who testified and say, "How convincing is their testimony," and deny credence of any sort to five and six times as many who say quite the reverse.

Let me impress upon you, admirals do not make wars. Generals do not make wars, unless generals have risen to political dictatorship, and have much more under their control than the mere military affairs of their nation.

Neither admirals nor generals make wars at all. Wars are caused by something different, and it is upon those different subjects that I first desire to speak, not particularly here, but to business in this Nation, something which this Nation's business interests ought to know and ought to understand, for wars have their roots in trade rivalry always.

Do not spend your time in abuse of one man with one kind of technical predilections or another. They do not cause armed conflicts. Armed conflicts are caused by nations becoming more and more and more prosperous, by nations beginning to assert their supremacy in trade, by nations finally obtaining predominance in trade. It is commerce which is the life blood of a nation, the jugular vein of a people; it is commerce, commerce and its rivalries, from which wars have sprung ever since wars have been fought.

It was commerce which gave to Britain her far-flung empire, commerce snatched with rapacity from those who were unable to defend it. Commerce it was which gave to her her very territories in every sea in all the world. Commerce it is, sir, commerce—business, if you choose to put it so—that is at the root of every dispute which finally ends in the clash of arms and the ultimate living or dying of nations.

Commerce it is, and to-day what nation has set out to be the greatest commerce trader in all the world? Where is it to-day that you see the predominance in trade finally turning? It is here, sir, in this great Nation of ours, and in the position we occupy to-day in the commerce of the world, it behooves us by no pact, no agreement, no treaty, by no act of ours however inspired or inspiring, by no act of ours however we are driven to it by the party lash upon the one side or the other, by no act of ours however we may be kicked into it by a power that is well-nigh irresistible, by no act of ours to endanger that which our people, by their energy and their efforts, have built up—a commerce leading all the world.

I do not speak on this occasion, except in passing, concerning some of the things which have been suggested by the Senator from Arkansas and the Senator from Pennsylvania. I have listened to one or both of them say that it is this treaty or nothing, it is this treaty or chaos. Nonsense! It is nothing of the sort. Five nations of the earth met here in 1922. Five nations of the earth reached an agreement then. Five nations of the earth, the same that this year met in London, by contract then agreed that in 1931 again they would meet in conclave and again they would act upon naval limitation.

In the London treaty three nations participated in the ultimate results. Two declined to agree. We have now a contract existing, made in 1922 by those five nations, that in 1931 they will meet in conference and for determination of naval limitations, and we have three of those nations entering into an agreement in 1930 in London, not agreeing except in part, and it is said that if we do not ratify what the three have done we will have chaos, ill will, hostility, and hatred among the nations of the earth. Not so at all. Ill will, hostility, hatred possibly, too, will arise if a treaty such as this is ratified, because it contains within itself the same illusory germs that the 1922 treaty included within itself.

After 1922, when all of us had believed that a great accomplishment had been ours, when all of us marched in here and voted with but one exception for a treaty which we supposed to be of limitation, there came the shattering of the illusion, and we began to understand a few years thereafter that we had not had any legitimate limitation in armament at all, but that we had been, in the language of the street, "buncoed," fooled, deceived, put it as you will, by what happened in the 1922 conference.

What resulted? What resulted from it is exactly what will result from ratification of a treaty such as this, which a large part of our people believe to be unfair to our country. What will result from it will be ill will, jealousy, almost hatred, certainly hostility, because of what has been done at London and the belief we were out-manuevered there.

The Washington conference ought to be the guide for all of our people respecting every other conference. There are few people to-day who are so poor as to do it reverence now, and yet the representatives of the United States at that conference equaled, certainly in reputation, in attainments, in understanding, and in their desire to do their duty by the country, those who were sent to the London conference and who acted for us in 1930. Yet these gentlemen were so egregiously mistaken in 1922 that it seems a bit of sarcasm and irony to read their words now.

Never forget—let it be in your brain when you are dealing with this treaty—just what our representatives said to our people, to the Senate, and to those who were interested in the matter, about what that Washington conference did. They were perfectly certain about it. We were, too, at the time. My recollection is that there was just one man in the Senate who had the vision and the courage at that time to say that that treaty did not do what was claimed for it. My recollection is, though it may be an error, that that one man was the only man who recorded his vote against the treaty—James A. Reed, of Missouri. I give to him my meed of praise.

Mr. REED. Mr. President, will the Senator permit an interruption?

Mr. JOHNSON. Certainly.

Mr. REED. The only Senator who voted against the Washington treaty was Senator France, of Maryland.

Mr. JOHNSON. I think the Senator is right; but James A. Reed, of Missouri, made a speech in respect to it, describing what it was, and we all thought he was in error.

How does this sound now? Just remember who these commissioners were. Ah, upon this side of the Chamber, when I mention them, how we swell with pride: Mr. Charles Evans Hughes. Mr. Elihu Root. Mr. Henry Cabot Lodge. Mr. Oscar Underwood. It is not one man that prophesies in this treaty, as one of the gentlemen said the other day in a report on the treaty. It is not one individual that asserts that something may happen in the future. It is the four who then said:

It is obvious that this agreement means ultimately an enormous saving of money and a lifting of heavy and unnecessary burden. The treaty—

They said—

absolutely stops the race in competition in naval armament.

It seems humorous to read that now because, as I understand the Senator from Pennsylvania [Mr. REED], he is stopping the race in naval armament that started after the Washington treaty, by having Japan and Great Britain permit us—ah, the boon of it, and let us thank God they are so kind and so generous to us—

he is stopping the race in armament because he persuaded Japan and Great Britain to permit us to build up to what Japan and Great Britain had done in the race for armament after the 1922 treaty.

Somebody was mistaken when the lines were penned which I have just read. Somebody erred in the story of the Washington conference. Somebody in the best of faith was utterly in error as to what the Washington conference did. Indeed, all four of the delegates from the United States of America were not only egregiously in error, but were outrageously fooled by what they imagined had occurred at Washington in 1922. I do not know whether the Senator from Pennsylvania was a Member of this body at that time or not. I see he shakes his head, and he was not. I was. I had the same emotional reaction that is to-day the emotional reaction throughout this Chamber, perhaps—emotional reaction now aided and abetted by party lash. I had that emotional reaction in 1922 and I believed that what was stated to us in high-sounding phrases had been accomplished. I know now that it was not.

But, sir, having gone through 1922, having seen four great Americans, those of the greatest reputation that this Nation had at that time, report in writing—they did not fear to report in writing—the results of that Washington conference and realizing now how egregiously wrong they were, I, sir, am walking warily concerning the London conference and its assumed virtues, virtues which no man yet has dared to put in writing before this body or to the United States of America.

Here, sir, I hold in my hand the volume containing the report upon the Washington conference. It was not beneath the dignity of Elihu Root, Charles Evans Hughes, Henry Cabot Lodge, and Oscar Underwood to write their report of what transpired at Washington in 1922. But where is the report of what transpired at London in 1930? Although the Senator from Pennsylvania said that he offered the Foreign Relations Committee on one occasion to answer any question they desired to propound, where has he been heard in respect to this treaty save in a radio address printed by the State Department of the United States and sent all over this land by the State Department? Where has he ever been heard upon this treaty save in that radio address and save in the speech which he made upon the floor of the Senate day before yesterday, and at the conclusion of which we are asked to close debate and put closure upon every other Senator?

Here, sir, is the report of the 1922 conference. Here in the beginning of it is the message delivered in person by the then President of the United States explaining his views and his position, asking the activity of the United States Senate in behalf of the treaty that had been negotiated.

Until a week ago, when the message was sent down here with figures that would not stand the test of scrutiny at all, where have been the words of the President of the United States in respect to the London treaty which, according to the floor leader on this side of the Chamber and the Republican National Committee, is to constitute his great asset in the coming primaries and in the coming election, politically? Where, sir, I ask are the reports of that conference; echo answers "Where?" They do not appear.

Sir, I repeat, a conference can be called in 1931 under that pact. That conference can do whatever may be essential in the premises. If this treaty should be rejected, there is no reason on the face of the earth why, under proper instructions from the Government of the United States, another conference may not be called and that conference do whatever may be essential in the premises.

Again, sir, what is the favorite argument of the gentlemen on the other side of this question and the favorite argument of the State Department printed as a public document and sent broadcast throughout this land at public expense? I do not mind that. I do not complain that the State Department with its power and its wealth and its influence can mail throughout this land hundreds of thousands of copies of a speech by one of the proponents of the treaty made upon the floor of the Senate and a speech by the Secretary of State himself. I mailed some copies of the very brief speech that I made, but, Mr. President, in printing the few thousands that I had printed and sent abroad throughout this land I paid for them myself. No United States Government with its Treasury stood behind those who opposed the treaty. They have paid from their poverty the little that was necessary in order to endeavor in some small way to disseminate their views.

It makes rather an unequal contest, unequal, too, upon this floor, because every element politically is here arranged for in order that there may be no difficulties in the ultimate result—an unequal contest, but what a glorious one, Mr. President! What a glorious thing it is in an unequal contest to

stand your ground, knowing you are right; to fight the fight as God gives one the ability to fight that fight; to fight it for your country and its future.

It will not be many long years before others will take the places of some of us in this Chamber. I sit, sir, 3,000 miles away from here upon a hillside, in a very modest cottage, in the city of San Francisco. I look down into the most beautiful bay there is in all this world. Sitting upon my porch upon that hillside I see there, coming into that bay, ships from every corner of the globe. I am proud as I look at them, and I think of the marvelous growth of the State in which I was born and of its possibilities in the future.

There, Mr. President, is an empire that never has been rivaled upon this earth; there are possibilities that none conceive of. My mind runs riot as I dream of the future, as I sit upon that little porch. I dream of that State from which I come, and that coast which I love, as the great theater of world activity in the years to come. I know it will be so; I understand full well it will be so; and I would be recreant to the duty that is mine if, understanding the possibilities of that marvelous empire there, I did not stand here and, no matter what the consequences, fight as well as I am able for its protection and the preservation of that which has made it so great, and will make it so much greater in the days to come.

It is partly because of that vision of mine that I make this contest. It is because I think I understand and I see the possibilities better than do some of my brethren here. It is because I am past the time when ambition in any way affects the individual's attitude upon any question. It may be it is because I have gone by that period where political preferment or political coercion can in any degree alter any course of mine; but I see in the not so distant future this great territory from which I come, the empire of all the world, with its ships going to the four corners of the earth, carrying this commerce of ours that has been continuously expanding and which makes of our country the greatest and most prosperous on earth.

So it is, sir, in the desire to protect that commerce, in the endeavor to aid that territory which I love and from which I come, wherein I was born, because I see within this treaty the germs of the destruction of that which is essential to the well-being of the United States that I am struggling here, struggling notwithstanding censure, notwithstanding what may be done to a few of us, and notwithstanding the jibes and slurs of the lackeys of the press who may come from the White House preaching in the press what they are told to preach. It is because I believe the Nation demands that somebody speak in its behalf, and in behalf of its future defense, that this contest is being made upon this floor, and will be made just so long as those who form this little band here who oppose this treaty are able to make it, either under the rules or under the physical strain that may be put upon them.

Mr. President, let me turn a bit to the commerce of this Nation, for, while there are many of minor consequence, there are two great fundamental errors in the presentation that has been made by the Senator from Pennsylvania [Mr. REED] and the Senator from Arkansas [Mr. ROBINSON].

The Senator from Pennsylvania says that, of course, when a nation goes into a conference such as that of London the status quo must control. He repeated that again and again—the status quo must control when a nation goes into a conference such as this.

Mr. REED. Mr. President, will the Senator from California yield to me?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. JOHNSON. I yield.

Mr. REED. I did not say that the status quo must control. I said it must be considered.

Mr. JOHNSON. The Senator said that it was so important that the American delegates could not do otherwise than they did; it was so important that the Senator from Pennsylvania, in the most lugubrious fashion, said that he was "simply horrified"—"just horrified"—to find out how far behind we had lagged, and the status quo, therefore, was all to our disadvantage. It was at the status quo we looked in 1922, and the status quo then was measured by our superiority in battleships. The status quo in 1930, however, was measured by our inferiority in cruisers. So we caught it both coming and going. To coin a verb from the phrase, we were "status-quoted" in 1922 because we possessed the greater superiority in battleships, and so our battleships were taken away; and then in 1930 we were again "status-quoted" not upon what we had been "status-quoted" in 1922, when we had a greater number of battleships, although the one conference was a continuance of the other, but we were "status-quoted" with our inferiority in cruisers. So

we caught it in both fashions, and in both ways we had the worst of it.

Why is it, Mr. President, that if in a matter of this sort there is a doubt to be resolved, it is resolved against the United States of America? Why is it if there is a construction to be put upon a provision of a treaty, it should be construed, according to some gentlemen upon this floor, against our own country? Why is it essential whenever anything arises here respecting what may be determined in one fashion or another that we always have to take the end of the other nation rather than our own? I am now too old to do that, sir; I decline to follow that sort of precedent which has been set for us.

First, our friends on the other side erred in taking the status quo. They could have taken it as of 1922 instead of as in 1930 if they had so desired. There is another error concerning this treaty that is major in character. I will come hereafter to many that are of minor character, but another that was major in character has to do with Admiral Pratt, concerning whom something more will be said before this debate shall have been concluded, not in uncomplimentary terms but in demonstration of the inaccuracy of what he says. As the testimony shows conclusively, the principal idea in the mind of Admiral Pratt was to obtain a fleet adequate for fleet combat. He and the one or two associates that he has—twenty-odd being the other way—say that with the fleet provided we are perfectly safe in our home waters; that Britain is perfectly safe in her home waters; and that Japan is perfectly safe in her home waters. Conceded, Mr. President; they are all perfectly safe in their home waters, but that begs the whole question of what a fleet is for. The first utilization of a fleet by the United States, the first design of a fleet under England's method of determination, is that the fleet shall be utilized for commerce protection, and if the fleet is designed wholly for mere battle combat in home waters it will be unable to do the job in the matter of commerce protection. Two major errors were committed, therefore, in the making of this treaty by our friends on the other side and their admiral adviser.

Now, Mr. President, let us look for a moment at the situation that confronts us concerning our ships and our commerce and then, if we can, determine what ought to be done in relation to our Navy. Ours, sir, is a producing Nation. The cycle of development through which we have just passed has been principally internal, but our huge resources have given us a productive capacity almost beyond belief and far in excess of our own power to consume. The surplus must be marketed abroad if our general prosperity and our standards of living are to be maintained, and only thus disposing of our production can we avoid privation and hardships to great masses of our people. The desideratum can be accomplished in one fashion; that is, with a due measure of sea power. By sea power I mean a sufficient merchant marine and an adequate Navy. Neither can exist separately; they are mutually dependent; they are the two elements which, when combined, are the sea power which every producing nation must have in order to be prosperous and stable. We must have first a merchant marine to carry our goods abroad and we must next have a navy to conserve, preserve, and protect that merchant marine. The merchant marine is as essential a part of our transportation system as are our railroads. To stop the ships would be equivalent to interrupting railroad traffic. To depend absolutely upon our trade competitors for the carriage of our goods would be like a merchant intrusting to his commercial rival and competitor the distribution of his wares. We need a merchant marine for the thousands of miles of internal sea travel now utilized between the various sections of our country. We need it because our unrivaled resources have, with an unparalleled genius and capacity for production, gone far beyond our ability to consume. We need it because exporting our surplus products is essential to maintain our standards of living and prosperity. We need it because we must of necessity import large quantities of essential products from overseas. We need it because the United States is at the center of the maritime world, with a position unequalled for the carrying trade to the great continents of Europe, Asia, and Africa. We need a merchant marine, lastly, because American commerce requires it and American national defense demands it. It does not make any difference whether one believes in a privately owned merchant marine or a Government-owned merchant marine; either is preferable to none. If we have not or can not have a privately owned merchant marine then the Government of the United States must provide one.

And the corollary then is undoubted. We must have a navy suited to our needs, sufficient for our requirements, and absolutely able adequately to protect our sea-borne commerce.

Since the Great War the United States has become the keenest international trade competitor in all the world. This has its

compensations in the extended commerce of the Nation, the greater prosperity of our people, and in enhancing the general welfare. It has its dangers, because success is ever the target for envy and successful national commerce has always aroused hatred. In speaking thus I do not imply that either the rivalry, the envy, or the hatred of other nations because of our commercial success would lead to war. Indeed, America's intentions are so pacific, our policies are so utterly lacking in aggression, that it seems inconceivable the pursuit of legitimate commercial paths, even to the exclusion of trade rivals, could ever give such offense as would lead to armed conflict. But if our present preeminent position in trade and commerce is worth having it is worth safeguarding and protecting, and it is a lamentable historical fact, written red in the annals of time, that one of the greatest contributing causes of war has been trade rivalry.

Only recently have we reached our high position in the world's commerce. Until the World War Great Britain exceeded us by 50 per cent.

In our day we have seen, in 1922 at the Washington Disarmament Conference and in 1927 at the fiasco at Geneva, British statesmen with an eye single to supremacy upon the sea. The long story of Great Britain's struggle and rise and final success, her proud boast that Britannia rules the waves, thrill us with admiration for the patriotism, the statesmanship, and the vision of our English brethren. They understood as no other race has so thoroughly understood, and what we in our newness and with our multifarious diversions must learn, that sea power and the rise and fall of nations are closely linked. Progressively through the centuries they have gone together. In turn Phœnicia, Carthage, Greece, and Rome ruled the Mediterranean. Venice, Florence, and Genoa went farther afield and into the Baltic and Atlantic. The Hanseatic States with unparalleled industry struggled for commercial supremacy in the far north, and finally in world trade the cities of the Mediterranean were compelled to yield to London, Amsterdam, and Hamburg.

Trade rivalry brought on great wars of nations, and in nearly every instance supremacy of the sea was the deciding factor. When the Dutch through their natural instinct acquired maritime dominance, the challenge came from England, and England's navy took from the Dutch the commercial supremacy they had with such difficulty won. Spain rose to her great power, and for a brief period her fleets controlled the water, sailed in undisputed rivalry the Spanish Main, and her galleons carried the commerce of both the New and the Old World. But England's fleets in bloody battle swept Spain from the sea, and naval defeats marked the decadence of Spain as a dominant factor on the oceans. The commercial history of the eighteenth century is written in the long-drawn struggle for supremacy between England and France. Commercial rivalry was the basis for the many and protracted wars of that period, and at their close England's sea power had relegated France to a secondary position.

Sir, dominance upon the sea has ever led to victory for the nation that held that supremacy. It was not really at Zama that Hannibal was defeated. Hannibal was defeated when Rome's dominance upon the sea forced him to make that long and perilous march through Gaul that wasted his strength and destroyed a large part of his force.

We are accustomed to think that Napoleon was vanquished at Waterloo. He was vanquished not at Waterloo. The downfall of Napoleon came at Trafalgar, and it came because England was supreme upon the sea. History teaches us what, under circumstances such as confront this Nation to-day, it is the duty of the United States to do. Here we have, for the first time in the story of this land, trade supremacy. Here we have to-day, sir, upon the sea a maritime dominance that the United States has never before possessed. We have wrested it from the tight little isle which for three centuries past has boasted of her supremacy upon the oceans that covered the earth, and to-day, with this supremacy that is ours, comes to us the warning that is written in the history of all time that we must protect, preserve, conserve, and maintain our sea power, or we be unto this Nation in the days to come.

If we have to any advantage studied history, if we have followed the rise of nations and their fall, the oft-repeated tale holds its lesson and its warning. Willfully deaf to every dictate of prudence is the American who prizes our present proud commercial position and will not understand that it can only be maintained by an American merchant marine and an American Navy sufficient for its protection.

While our maritime trade has increased, and is passing that of every other nation, our ability to carry it is progressively decreasing, and the time may come when we can not safely,

without full naval protection, rely upon other nations to carry our goods and expand our trade. Of course, such a time will come. No man can foresee it, none can tell the number of years that will elapse until it does arrive; but that it will arrive history demonstrates conclusively. When that time arrives, if in our ineptitude and sloth we have idly accepted the present precarious situation, disaster, hardship, and suffering will be our portion.

The argument for a merchant marine of no greater importance than an adequate navy generally rests upon two premises: First, its necessity as a complement to the Navy and for ultimate national defense; and, secondly, the dependence of the Nation's economic welfare upon foreign commerce. Those are ample and incontrovertible reasons, but there is another equally cogent and of like importance. Few realize the extent of our so-called coastwise traffic, its essential ocean-going character, and the dependence upon it of many major industries. This coastwise traffic is, in fact, internal domestic trade, yet it follows external overseas routes and is necessarily carried in ocean-going vessels. There is nothing comparable in all the world to this coastwise traffic of the United States of America, except the overseas trade between the various parts of the British Empire. Upon this overseas trade, as Senators who followed Geneva conference will realize, the British ground their argument for naval supremacy; but the distances of British sea lanes are not greater than the distances of our coastwise sea trade, and the value of this coastwise trade of ours is more than half the value of Britain's total foreign trade.

Senators who are familiar at all with statistics of the past, who understand that for centuries and more Britain has been the great carrying nation upon the ocean, and that in all that time there has been no challenge of her supremacy, will realize what the value of the coastwise traffic of the United States is when they understand that it is six-tenths of the value of the entire vaunted maritime trade of the British Empire. That is one of the reasons and one of the necessities for an American merchant marine and an adequate navy to protect it.

When they recall, too, that our extensive pipe lines generally lead to the coast; that our great oil refineries are within easy access to deep salt water, and that our great oil industry depends upon ocean transport, and that this dependence will become greater as domestic sources are reduced, they will have a greater and a better understanding of this coastwise traffic of ours.

We know the sea route via Panama as the cheap transportation link, without which our lumber, coal, and other industries would suffer and languish. Few Americans have any true appreciation of the extraordinary value of our domestic seaboard commerce or its potent influence upon many of our great industries. Blocking this commerce would dislocate the country's entire business and bring hard times beyond anything in the Nation's experience.

So much for the predicate, sir, to the necessity for a navy which would be of adequate size to protect our ocean-borne commerce. We shall see as we proceed, sir, that under this treaty no such navy is accorded to us; and that while Britain and Japan, because of their peculiar geographical situation and their naval bases, may protect fully their commerce save in one direction, we might quite possibly, in the event of difficulty, be wholly blockaded and our commerce be practically destroyed.

Before proceeding with this theme, however, let me speak just a moment about something that has been said by the Senators on the other side concerning cruisers.

Horried—do you remember the language?—was the Senator from Pennsylvania [Mr. REED] to find what a dreadful condition we were in at London. Horried was he—so horried that whenever the opportunity has been accorded him to say so, he has told of the marvelous favor that was done us by Japan and Great Britain in permitting us to build up to their strength.

Now let us see just what that situation was.

"Why," he said—you have heard him repeatedly assert it—"we had just one cruiser; just one! Japan had 12; Great Britain had"—the Lord knows how many; let us say 39 or 54, as the case may be; I do not care. We had just one—just one!—and think of the victory that our delegates won at the London conference. Marvel of marvels; mirabile dictu! Let us take off our hats and cheer! They won such a victory that from having 1, they are permitted by Mr. MacDonald to build 18, and they are permitted by the Japanese to build 15. Wonderful victory; marvelous victory!

Now let us see just what the situation was.

This year, sir—it may be that some of them came in after the conference—we have five cruisers in the water now. If I am in error, the old gentleman of the sea there, the "Admiral from Virginia," can correct me, I am sure; and if I blunder in

any of my figures I beg him to do so, because I want to state them wholly with accuracy.

We have five cruisers in the water now—the *Pensacola*, the *Salt Lake City*, the *Houston*, the *Chester*, and the *Northampton*. That is a pretty good start.

There are three more which will be completed in 1931, the *Augusta*, the *Chicago*, and the *Louisville*. That means eight—eight cruisers that we will have in 1931. We had only one to bargain with, you know!

But there was something more that is not mentioned by our friends on the other side. We had, sir, a law that was passed by the Congress of the United States, which is in full force and effect now.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. McKELLAR. In addition to the eight the Senator enumerates as being about completed—

Mr. JOHNSON. I am going to speak of the seven *Omahas*.

Mr. McKELLAR. I want to call attention to the fact that there are 10 others of the 6-inch-gun class.

Mr. JOHNSON. We have the 10 *Omahas*. I was going to refer to them subsequently. These I have been talking about were in the 8-inch class. We had the *Omaha*, with smaller guns aggregating 70,000 tons. But we had something more, something for which the "Admiral from Virginia" had striven and striven well. We had the cruiser bill, which was passed by the Congress of the United States, whereby we provided for the construction of 15 cruisers and 1 aircraft carrier. Five of these cruisers were to be laid down during 1929, five during 1930, and five during 1931.

It is true that by a presidential order some have been held up, perhaps, but that makes no difference. There is the law, 15 more 8-inch-gun cruisers which the law has authorized, making in all twenty-three 8-inch-gun cruisers we have either authorized, or were built or building when these gentlemen were in London.

Talk to me about "one cruiser, and we had to lie down and take it and do whatever we were directed to do." Eight substantially built or building, 5 actually in the water now, 3 to be within a year, 15 authorized by law, 23 in all—23 which constituted the program of the United States in 8-inch-gun cruiser building. In addition to that we had the 10 *Omahas*, aggregating 70,000 tons.

Take these, now, 23 which were in the program of the United States. Why can we not ever consider a program of the United States in one of these conferences? Why is it essential on every occasion, and under all circumstances, to take the program of Great Britain or of Japan? What sort of necromancy is there in it? What kind of talismanic words do these people from Great Britain and Japan use that they cause ever our negotiators to take their programs and forget ours? Why is it?

There we had a program of the United States of America calling for twenty-three 8-inch-gun cruisers. We had in the water as well 7 *Omahas*, aggregating 70,000 tons, and the total aggregate amount of tonnage of those 23 and our 10 *Omahas*, of course, was 300,000 tons. Why was it necessary to have Mr. MacDonald insist that we should take some other kind of ship? Why, I ask, and echo answers, why?

The first communication from MacDonald to this country, July 9, 1929, said that we could have 18 cruisers, and the last communication of MacDonald to this country over in London at the conference said that we could have 18 cruisers, and that is all we got.

We had 300,000 tons of cruisers provided for by law. The treaty gives us, according to their interpretation of it, eighteen 8-inch-gun cruisers, a total of 180,000 tons, and smaller-gun cruisers aggregating 143,500 tons, a total of 323,500 tons.

Now, you gentlemen who believe in arms limitation, we had a program under the law which was our program. Of course, we decry it now because Great Britain and Japan decry it; but it was our program. It was, of course, I admit, tainted and flinched with the fact that the United States had adopted it, but it was our program, a program for twenty-three 8-inch-gun ships, and we had our seven *Omahas*, 300,000 tons in all.

Under the treaty they assert that they give us eighteen 8-inch-gun ships, 180,000 tons, and smaller cruisers aggregating 143,500 tons, a total of 323,500 tons.

Talk to me of limitation of armament by this treaty! Tell me that you have reduction of naval force! There is the story of it. Do not be misled by a tale regarding great battleships. For months before there ever was a conference, every one of the nations wrote—wrote, I say; they dare not give us the correspondence, but I charge it—they wrote saying they wanted a holiday in battleship building, and they were per-

fectly willing to have a battleship holiday for a considerable period of time, many years in the future. So dismiss battleships in the matter of arms limitation.

Here was what was dealt with over there. Talk of naval reduction and arms limitation! I said in the beginning of my remarks it was sham and fictitious. It is. This kind of naval reduction and this sort of arms limitation is sham and fictitious. It does not exist. That is all there is to it, and the figures demonstrate it.

All that has been done is this: They have made us take, not what we agreed upon and what we passed by act of Congress. They have made us accept, not what this Congress solemnly decreed by its act, signed by the President, and which became a law. They have made us take what they wanted us to take, and they have sugar-coated the pill by giving us a few more thousand tons than we would have had under our own building program. But you have to take it, you can not escape it. Great Britain demands it, and Japan's friendship rests upon your doing as Japan wants. So do not deny it, accept it, of course.

Great Britain insists, and Great Britain has never changed her tune in respect to it from July 9, 1929, when the first dispatch was sent over here, to the last moment of the last part of the particular conference in London on naval limitation, Great Britain has insisted from the beginning to the end we are to have 18 cruisers.

Do you know what we did last year? Oh, what a terrible thing! I charge that the record shows—I am ready to demonstrate the fact—that in the beginning of the negotiations last year, after July, we demanded 23 cruisers, in accordance with the General Board of our Navy. We demanded it, and Mr. MacDonald said we could not have it. Mr. MacDonald did not care, in my opinion, because I believe MacDonald's socialistic government really wishes disarmament and really wishes limitation, but he is controlled over there absolutely by the British Admiralty, and he can do just exactly what the British Admiralty permits, and nothing else. So, while I give to MacDonald full credit, and to his socialistic government full credit, for the desire for reduction of armaments and for limitation of armaments, the British Admiralty said to him, "You can not permit the United States to have the kind of cruisers she wants or the 23 they have asked for," and MacDonald had to refuse.

This is the sequence of events. After that, pressure was brought to bear on the General Board to come down and to ask for less, and the General Board, as they testified in the hearings before the committees, did come down, did, indeed, say that as an irreducible minimum they would accept 21. When Mr. MacDonald got to London, to the British Admiralty, the British Admiralty said, "Not much. You can not permit 21 to be given to the United States," and MacDonald had to say no.

So it was that MacDonald said from the beginning to the end, 18, because the British Admiralty demands that you be permitted but 18, and 18 is what it is assumed we got, but when you read the terms of the treaty, as ultimately I shall do—not in this particular address of mine—I will demonstrate that that is not the fact. We do not get even 18 under the treaty.

Talk of limitation and reduction, limitation and reduction! There is no such thing in the cruiser category, and no limitation or reduction of any kind or any character. The only thing we did was to scrap the American program and in lieu of that accept the British program, and in accepting the British program they threw to us as good measure 23,500 more tons than we would have had if we had carried out the American program and the law which had been passed by both Houses of Congress. So much for the cruiser situation.

Now let me call attention to one or two rather remarkable things here. I do not want to argue this particular part of the matter at this time, but I am at a disadvantage. The other day I asked the Senator from Pennsylvania to deliver the proposal or statement made by the Japanese April 3, 1930. He advised me last evening that he was unable to do that because it was received in confidence and he could not deliver it. I think I state correctly what he said. I have no desire to state more than the mere fact at the moment.

Here is how we stand: We obtained from him the proposal of the United States delegates respecting the American Navy. That was put in the *RECORD*. It was put in the *RECORD* and for the first time it was published in full. Two or three gentlemen ran around here, superserviceable gentlemen, who said that it had all been published in the newspapers before. I have been unable to find it. They may have found it. Anyway, this is the first time this proposal concerning our Navy has been published in full, and it was published in the *RECORD* day before yesterday, or thereabouts, when I demanded it from the Senator from Pennsylvania.

I demanded from him then the Japanese proposal in response. He tells me he can not deliver it because he received it in confidence. I respect his views of confidence in that regard, but what sort of body is this, this body of ours, the United States Senate, which can not have the document which this has been presented in answer to our own proposition concerning our own Navy? Is it not a marvelous thing? I venture the assertion that there never before in the history of this body has been such a situation presented, and I venture to say that this situation will return to haunt the Senate in the days to come. We have said by our action, as well as can be said at all, that whenever the Executive desires, that whenever the Secretary of State desires, to refuse to send any papers to us respecting a treaty that that is conclusive, and we do naught in respect to it of any kind or character.

But we are denied the Japanese document. I have to turn therefore to the press and I have to turn therefore to the foreign press. What an outrage it is. Ah, it is an outrage, nothing less, that we here, whose duty it is under the Constitution to pass upon a treaty, are denied the particular documents upon which we may intelligently act. But, sir, I turn now to a favorite newspaper of some of our brethren, the London Times, and I find there certain things in relation to Japan and Japan's activities in regard to the treaty. I read from a Tokyo dispatch to the London Times of March 16:

The United States retains the right to build 180,000 tons of heavy cruisers—that is, eighteen 10,000-ton vessels—against Japan's existing 108,400 tons—in eight 10,000-ton ships and four vessels of the *Furutaka* class, of 7,100 tons each—but the United States undertakes to build only 15 of those vessels by 1935. * * * The general effect of the proposal is that Japan obtains about 70 per cent in auxiliary tonnage as a whole, while in the 10,000-ton class, which is her special bugbear, she obtains a practical 70 per cent until the next conference.

In order that we may see what the situation is I read again, because there is first a proposition by the United States whereby the United States has taken the figures of MacDonald, although up to that time we had insisted upon more, of 180,000 tons of 8-inch-gun cruisers. There is first a proposition by MacDonald of that sort with no qualifications at all. Remember that. Then there is a proposition by Japan, which I must dig out in this devious fashion from newspaper articles, which limits the 180,000 tons to 150,000 tons through 1935, and in 1935 there is to be a new conference when Japan may do as she sees fit. That is the situation. Talk about getting anything! We did not even get MacDonald's 18 cruisers. We got Japan's permission to build 15 up to the time of the next conference.

I read from an article in the London Times of April 2:

The compromise is accepted in all essentials, with reservations, or, more properly, explanations of the Japanese attitude, on four points, namely—(1) the construction of 10,000-ton cruisers, after 1935; (2) earlier replacement of submarines; (3) duration of the agreement, which, the Japanese Government understands, will run till the end of 1936; (4) capital ships.

The construction of 10,000-ton cruisers after 1935!

No new proposals are advanced in regard to the fourth point, but the Government desires the arrangements concerning battleships to be bound up with the auxiliary tonnage agreement. The delegation in London is left to arrange the exact wording by which these points are secured, and the procedure, by an exchange of notes or other methods to be adopted.

That is the procedure by which we limit our construction of 10,000-ton cruisers. We recognize that our brethren say there is not any secret agreement or any understanding, but there is not the slightest doubt about what Japan understands, and the terms of the treaty bear out that understanding, because, under the terms of the treaty, until after the next conference we are to have 15 cruisers only. So it is not a question of 2 cruisers or of 1 cruiser or of 3 cruisers. It is a question, in reality, of eight cruisers, and when we apply that to our commerce protection it means practically one-third of our commerce protection upon the seas.

I have read a few excerpts, though I have many more which ultimately I shall read upon this subject, because it was upon that theory that I presented a reservation this morning, a reservation which I expect to argue at length, and which ought to be adopted. There ought not to be the slightest question about it, because, if Senators will recall, from Secretary Stimson down every single individual who talked upon the treaty has insisted that the United States get 18 cruisers, and not one of them has ever mentioned, until the query was asked, not one until questioned ever suggested that Japan had insisted that there should be but 15 cruisers until the next meeting should be held and the next conference should take place.

Mr. President, we had a great Secretary of State once named John Hay. He announced a program so far as the Far East was concerned that has become a definite policy of this Nation. It was called "the open door." I do not know whether you, sir, care for the open-door policy or whether any one in this body cares for the open-door policy. The fact of the matter is that it has been the policy of this Nation for a long time in the past and as the policy of this Nation it has proved, we felt, beneficial to our commerce, and proving beneficial to our commerce it has enabled us to go forward with our trade in the fashion that we desire we should go forward.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. McKELLAR. I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from California yield for that purpose?

Mr. JOHNSON. I yield.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Hale	McNary	Shipstead
Bingham	Harris	Metcalf	Shortridge
Black	Hastings	Norris	Steiner
Blaine	Hatfield	Oddie	Swanson
Capper	Howell	Overman	Thomas, Idaho
Couzens	Johnson	Patterson	Thomas, Okla.
Dale	Jones	Phipps	Townsend
Deneen	Kean	Pine	Trammell
Fess	Kendrick	Reed	Vandenberg
George	Keyes	Robinson, Ark.	Wagner
Gillett	La Follette	Robinson, Ind.	Walcott
Glenn	McCulloch	Robison, Ky.	Walsh, Mont.
Goldsborough	McKellar	Schaff	Watson
Greene	McMaster	Sheppard	

Mr. THOMAS of Idaho. My colleague the senior Senator from Idaho [Mr. BORAH] is unavoidably absent. I ask that this announcement may stand for the day.

The PRESIDING OFFICER (Mr. Fess in the chair). Fifty-five Senators having answered to their names, a quorum is present.

Mr. JOHNSON. Mr. President, just prior to the quorum call I had touched very briefly upon the "open-door" policy, which found its fruition during the tenure of Secretary of State John Hay. For very many years it had been a matter of grave consequence to our people, but it was not until Mr. Hay's time that in concrete form the policy was put and that then it was carried out. I want to return to that policy in a moment. However, because just prior to referring to it I had been speaking of the Japanese and of their view regarding the number of cruisers which we were to have not only during the life of the treaty but up to 1935, I want again to call attention to the official book of the British Empire, which I introduced into the RECORD one day last week, in order that we may understand how our British brethren approach this problem.

I sometimes think, Mr. President, that we are probably the most emotional people on the face of the earth. Sometimes I attribute it to the fact that in reality we represent in our admixture of blood so very many different races. So it is that in this country we love phrases. I think we love them much more than the people of any country on the face of the earth. Even the Latins, even those who are mercurial and fickle as we believe some to be, have not the same sort of worship for phrases and words that we have. In this country in the last 10 years since the World War we have been sitting at the shrine of what we did not know, but what we loved to think, some sort of mode by which peace would be brought to all the nations of the earth; and we have been ready in our peculiar fashion to do whatever lay in our power that we might forward the great cause of peace among the peoples of the earth. In doing this we have coined certain phrases, and we have become more or less slaves to them, so that now if a man wants to become a great statesman he needs to do little else than stand before his fellows or talk through the microphone about peace; and if he can shed tears, my God! his reputation is so enhanced that there is no question in the minds of the Tuesday Evening Club of Kankakee, or the Friday Morning Club of Kokomo or the Ladies' Auxiliary of Kalamazoo that the greatest statesman of the world has come among them, and, talking peace in generalities, peace in the fashion that he does, that he is not only entitled to their suffrages but to their enthusiastic support for anything that he may desire.

I remember 11 years ago when we were contesting the League of Nations it was not unusual for very good people, people in whom I had the greatest confidence and for whom I had a real affection, to rush up to me with their eyes starting out of their heads and say, "Do you not believe in peace," and when I would say, "Yes, of course, I believe in peace," the reply would come, "Then, you must be for the League of Nations"; and that was the end of the argument. So it is with a treaty like

this. A treaty that is made in the sacred name of peace is brought over here in order that we may have a treaty—not because of its terms, but because we have got to have a treaty.

The treaty is brought over here and we are asked, "Are you not in favor of peace? Do you not believe in naval limitation and naval reduction?" When the reply is made, "Yes; of course we do," we are told, "Then you have got to be for the treaty; and if you are not for the treaty, we will see that not only are you ostracized but that you are treated in a fashion by the great international newspapers of this land"—that always respond to any propaganda from abroad—"we will see that you are treated in a fashion from which you never can recover." That is the story of what is at present happening.

I grant that I fell for it in 1922. With the emotion of the war filling me at that time, with the anxiety that I have always had to do anything, no matter what it was, that might be an accomplishment on the road to peace, I fell in 1922 with my fellows and voted for the treaty that now there are none so poor to do reverence to, and we all admit was an injustice to our country, by which we were egregiously and outrageously deceived. I am not going to fall, Mr. President, in 1930 for a document of that sort, and perhaps the experience I have had in the past is what protects me in the present.

Our British brethren can do just as much talking as we can do. We heard it in the very charming and delightful way in which the Premier of England came among us. I had some strange thoughts that day when he stood at the desk of the Vice President and talked to us. I looked around to my brethren from Pennsylvania, and the Republican leader from Indiana, and the distinguished Senator who now sits in the chair [Mr. Fess], and to others here, and I thought to myself what a marvelous thing that they stood here wildly applauding a socialist, the leader of the Socialist Party, and all of them, with the exception, of course, of the Presiding Officer now in the chair, so gladly hanging on to his coat tails during the time he was here—this socialist, when in this country they would not sit next to a man who was called a socialist under any circumstances.

I had also some very strange thoughts about Mr. MacDonald when he was talking. His is a political romance that is not equaled by any other in all this world save that of the present President of the United States; and when I listened to Mr. MacDonald on the day he was here, and saw gentlemen who are so conservative metaphorically throwing their hats in the air and striving with one another to greet him and shake his hand, I thought, "What a marvelous thing power is." That is what it is—power. How we change overnight when the power comes about. And here is this treaty, and behind it is power. That is what is behind it—power. There is the Democratic side responding; here is the Republican side responding, and here are even my insurgent brethren responding. Power is behind it—power of one sort or power of another. It may be of one kind or it may be of another, but it is power that is behind it; and because of the power it is thought by many to be a terrible thing to stand here fighting a treaty of this kind.

Mr. President, let us look at what our British brethren say concerning this sort of thing. Here is their policy officially declared:

EXHIBIT A

(Miscellaneous No. 2 (1930), Great Britain Foreign Office)

MEMORANDUM ON THE POSITION AT THE LONDON NAVAL CONFERENCE, 1930, OF HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM, LONDON, FEBRUARY 4, 1930

(Presented by the Secretary of State for Foreign Affairs to Parliament by command of His Majesty)

PART I

(1) The policy of His Majesty's Government in the United Kingdom is to keep the highway of the seas open for trade and communication, and, in relation to the political state of the world, to take what steps are necessary to secure this.

They do not indulge over there in the expressions that we are so familiar with here; they make very plain what their position is.

The policy of His Majesty's Government in the United Kingdom is to keep the highway of the seas open for trade and communication and, in relation to the political state of the world, to take what steps are necessary to secure this.

That is the first thing. Then, when finally this particular treaty was presented to the Parliament they made very plain their understanding concerning it.

The United States has the option to rest on this figure and to make a corresponding increase in its 6-inch-gun cruisers from 143,500 to 189,000, in which case the total tonnage for the United States and the

British Commonwealth of Nations will amount to 541,700. If it does not choose to exercise this option, it undertakes that its sixteenth 8-inch-gun cruiser will be laid down in 1932, its seventeenth in 1934, and its eighteenth in 1935. In that event Japan will be free to advance a claim at the conference in 1935 for an increase in its 8-inch tonnage.

This section of the treaty, which will apply to the British Commonwealth of Nations, the United States, and Japan, will contain a clause safeguarding our position in relation to the building programs of other powers.

There is the story. Treaty limitation? Limitation of arms? Not a bit of it. Reduction of naval forces? Not a bit of it.

Returning now to the question which I had suggested a few moments ago—the question of the open-door policy which John Hay established—I desire to read an article appearing in last Sunday's Star, written by Frank H. Simonds.

DELAY OF TREATY ACTION ASSURES NO INTERFERENCE—EXTRA SESSION PREVENTS SWAMPING OF MEASURE BY OTHER LEGISLATIVE ACTIVITIES BEING CONSIDERED

By Frank H. Simonds

The postponement of discussion of the naval treaty until the extra session insures that there would be another chance for the public to consider the merits of the London accomplishment with no such complicating detail as tariff and pension legislation. Moreover, it is unmistakable that so far the treaty has excited only languid interest, and ratification has been regarded with resignation rather than with any real enthusiasm.

It is patent, however, that the only real criticism—that coming from the naval authorities of all ranks—has on the whole failed to enlist public support. On the whole, the opposition of the naval men has been the single real contribution to the forwarding of the treaty.

Yet there is an obvious paradox in all this. We are living under an administration which more than any other places value upon experts and commissions. From prohibition to panics, the inevitable resort has been to the so-called "best minds," to the specialists and the experts. That is precisely what makes the official attitude toward the naval experts rather impressive. For with exceptions which are too inconsiderable to make any real differences, the admirals, the captains, and the commanders—the best minds in the Navy—are in accord in opposing the treaty.

AGREE ON DEFENSE HERE

The great difficulty with the case of the admirals against the treaty lies in the fact that it is presented to the civilian mind, which is not in the least trained to consider technical or strategic aspects and has an instinctive distrust of the uniform and of the soldier or sailor. Nevertheless, there is one phase of the protest of the sailor men which deserves an attention it has not yet had.

All the naval experts who have testified have agreed that the so-called treaty Navy is adequate to defend the shores of the American Continent, to maintain control of the Caribbean; in a word, to conduct a passive defensive within the vital areas of the United States. They are as one in testifying that neither the British fleet in the Atlantic nor the Japanese in the Pacific can constitute a menace to our home territory.

To the untrained civilian mind this seems not only much but enough. Why should the United States desire to send a fleet to invade British areas in Europe or Japanese in Asia? The difficulty with the situation lies in the fact that there is a complete failure on the part of the layman to perceive the fact which is uppermost in the expert mind, namely, that the fleet of the United States which is adequate to defend home shores is not equal to the task of maintaining the actual policies of the Nation.

AFFECTED BY POLICY

For it is a truism that the size of the fleet of any nation must be based upon the character of its policies.

Mr. President, that is a truism. The size of your fleet must be based upon your policies. If you have no policies, and if you have no merchant marine, and if you have no commerce, you need not worry greatly about your fleet, because the rest of your country will be of little consequence anyway; but if you do have policies, and if you do have a merchant marine, and if you do have an ocean-borne commerce, then, of course, you must have a fleet that will be commensurate with the importance of your policies and your commerce.

The first step in the reduction or even the limitation of armed strength must be the modification of national policies, to carry out which is the sole purpose of the Army and Navy. The real case of the admirals against the treaty is that it reduces the means to carry out policies which may produce collision without in the smallest degree cutting down the policies.

Broadly speaking, the United States has three policies which could carry it into collision, one with Britain and two with Japan. These policies may be described as neutrality in European conflicts, the retention and defense of the Philippines, and the maintenance of the open door in the Far East. As long as our Government and people

adhere to these policies they are bound to maintain the military and naval forces adequate to support them.

As to the policy of neutrality the situation is simple. The great powers and the small of Europe, bound by the covenant of the League of Nations, have adopted a policy of enforced peace. They have bound themselves to common action against any country which resorts to war in defiance of the rules and regulations of the league. In theory they would be bound to use economic, financial, military, and naval resources against the aggressor.

And in the calculations of all the league states the first and most important weapon is naval, and is primarily the British fleet. If Germany should one day seek to recover the Polish corridor by force in violation of existing treaties, if Italy should apply Mussolini's recent and familiar words to any one of many questions, the league powers would be bound to unite in common action, and the first step would be the employment of the British fleet for purposes of blockade, along with economic and financial pressure.

ANTI-UNITED STATES BLOCKADE DISASTER

But the United States is not a member of the league; it is not considered either with German or Italian aspirations. It would have no part in the discussions and consultations which preceded the application of force. On the other hand, it would immediately be affected by any blockade which in the nature of things would go beyond any existing warrant in international law, as was the case during the World War.

The effect of such a blockade upon American trade—upon the farmer even more quickly than the manufacturer—would be disastrous. All the circumstances of 1915-16 would inevitably be reproduced. Moreover, if we accepted the blockade, as we did substantially that of the Allies in the World War, then we should be, in fact, an ally of the league. But just as obviously we should be the enemy of the nation or nations at war in defiance of the league mandate.

It may easily be argued that this is the course that we should follow; that we are at the least in duty bound not to feed, munition, or finance such an aggressor. But the trouble is that we have adopted no such policy, and on the whole stand firmly against it. To assist in disciplining Italy or Germany, to help Europe make war, to preserve peace, is not at the present hour any part of American intention.

But since our present policy is clearly, as Mr. Wilson once phrased it, "to wage neutrality," to maintain not alone our aloofness from actual conflict but to avoid vast losses incident to an illegal blockade, it becomes necessary to have a fleet equal to that of the greatest of the league powers, namely, Great Britain. For it is manifest that Britain will not engage in a League of Nations enterprise to preserve peace on the Continent of Europe if such enlistment insures actual collision with an American fleet of equal strength. The existence of such a fleet in itself provides the certain barrier to such British action and is thus the guaranty of American neutral rights.

ADMIRALS ENTITLED TO HEARING

If the Government and people of the United States are ready to join the league, if they are prepared to agree in advance to waive their neutral rights when the council of the league shall pronounce some nation guilty of aggression and liable to sanction, then the whole case of the admirals falls to the ground. We have no need of parity with Britain, because there is then no conceivable cause of conflict.

But if we refuse to join the league, if we adhere to our traditional views as to neutral rights, then the admirals, as the ultimate executors of our policy, are entitled to be heard upon the question of the means which are required. It is not only their province but their duty to inform the country in advance if, in their judgment, the existing Navy or the treaty Navy falls so far short of parity as to be incapable of performing its mission.

A European war is to-day at the very least a patent possibility. Such a war would at once compel the league to take action, and such action would inevitably involve us. If President Hoover and Secretary Stimson could inform the admirals that they would not be called into question, that we were prepared to remain neutral, but along with nominal neutrality to act as the benevolent associate of the league powers, then they would have no case and no temptation to go beyond their immediate duty.

But if we are to wage neutrality we must have a Navy adequate to the task, so completely the equal of the British as to preclude any British action which might bring a collision. And, of course, the same is true in both the Asiatic issues. If we are determined to defend the Philippines, the London treaty deprives us of adequate naval resources. The increase of the Japanese ratio automatically gives Japan strategic superiority in the area in which we must defend our island possessions. And the same is even more the case in the matter of the open door.

POLICY REAL CASE

If we are prepared to retire behind the Hawaiian Islands, if we are on the one hand ready to resign our purpose to defend the Philippines and on the other to renounce our policy of equal opportunity commercially in China, then the admirals' case against the London treaty falls to the ground. But, on the other hand, if we are not prepared to renounce either policy, it is clearly the business of the admirals to tell us that we are pursuing policies with inadequate resources.

The real basis for the limitation or reduction of armaments is the adjustment of national policies which may lead to collision. To reduce the size of navies, for example, while maintaining in full vigor policies which may necessitate the use of navies is like reducing the carrying capacity of a new bridge without making any prior reduction in the size of the load it must carry.

At London the single conceivable cause for Anglo-American dispute, neutral rights, was rigorously excluded. Collision was thus made no less likely, but vastly more risky for the United States. And that is the case of the admirals.

Reducing the number of ships and the size of guns to be employed in war and maintaining in full vigor the policies which may produce war is not a step toward peace. With the making of these policies admirals have no proper concern. But they are entitled to ask for the naval means to carry out the political policies which the Government has adopted and to testify if the means are lacking. What the admirals have said in substance is that the treaty fleet is not adequate to sustain the national policy. That is the situation to date.

That is the exact situation. If you believe in the open-door policy in China, if you believe, indeed, in a neutral policy such as has been defined upon this floor, it is absolutely essential that you have the strength with which you can enforce that policy. If you believe the Philippines should be defended, it is necessary that there should be sufficient force to defend the Philippines.

I recognize that by what we did in 1922 we have probably put beyond our power the defense of the Philippine Islands; but we did that, sir, upon a distinct agreement, as our delegates say, and it is perfect nonsense either to minimize what was said at that time or to pretend that it is not the fact. We refused to strengthen our fortifications in the Far East upon the distinct agreement that Japan would accept the ratio with us of 5 and 3.

The ratio of 5 and 3 that was then deemed, not only by our naval people but by our civilian officials as well, necessary for our protection, was scrapped at London by the London treaty; and there is no gainsaying that. The few excerpts that I read a few moments ago show that conclusively. The figures that are in the Record here, the report that was presented by the minority from the Foreign Relations Committee, demonstrate it beyond the peradventure of a doubt; and, in my opinion, the worst thing that was done by the London treaty was scrapping the Washington treaty ratio, and raising the ratio of Japan that we dearly bought from Japan by refusing to fortify our own possessions in the Far East—refusing to fortify what belonged to us, and doing it as the price that should be paid to Japan for giving us a 5-3 ratio. They have retained the price and they have raised the ratio; and, by raising the ratio, they make it utterly impossible for this country to protect its policies in the Far East. No longer can we protect a policy of the open door in the Far East—and, so far as that is concerned, already it seems to be surrendered by the State Department; for I read in the New York Times of Saturday, July 5, a remark attributed to Ambassador Castle over abroad, in which he said, in so many words:

Japan must be guardian of the peace in the Pacific.

And then is added, in the article:

It seems to be another echo of the policy of the Monroe doctrine for Asia. It is again recalled that Mr. Castle came here from Washington after meeting Mr. Wakatsuki and the members of the Japanese delegation.

I read the speech which was delivered by Mr. Castle in Shanghai not long ago concerning trade in the Orient. I can read his remarks in no other fashion than that he is giving a sphere of influence in the Far East to Japan and is providing, as the article in the New York Times says, for a Monroe doctrine which will be in the keeping of Japan in the Orient.

I was a Member of the body at the time when the Lansing-Ishii agreement was given to the press. I recall that the men upon this side best versed in foreign affairs were very loud in their denunciation of that agreement. I remember the debate that was held then upon spheres of influence and I recall the bitter protestations of the Republicans on the Foreign Relations Committee concerning that endeavor upon the part of the Secretary of State at that time.

To-day an Undersecretary of State proceeds to Japan, he makes, as the press reports apparently indicate, a new doctrine there, a doctrine which, so far as I am able to see, would abrogate the open-door policy of John Hay, which we followed for so long in the past, and would establish a new Monroe doctrine in the Orient.

The policies thus dependent upon navies are policies which, after all, I presume, must be determined by those in power and those representing a particular administration; but if there are such definite policies of a nation like that which we have just

been discussing, when we have certain definite things to be done upon the sea, we have to have a measure of protection which will enable us to do the job upon the sea.

Mr. President, it was my intention this afternoon to discuss somewhat at length the effect of the reduction of the cruisers upon our sea-borne commerce and the possibility of protection of our commerce there. I feel, however, that I have taken sufficiently long upon the subject now, and I am leaving to a later date the opportunity to present my views upon that subject.

I feel that in a matter of this sort too much time can not be consumed in legitimate argument. I feel, sir, that with a treaty of this kind, which may mean the very future of the Republic, it is worse than idle, it is worse than wrong and wicked to say that time shall not be occupied in legitimate discussion and legitimate debate.

What difference does it make if some few men upon this floor are convinced of one thing or another? What difference does it make that some one upon this floor may believe that he must vote a certain way because of certain things? Nevertheless a discussion that is germane to the subject and relative to the particular matter is one which ought to be heard at least with patience by the few who are present, the making of which should not call for the sign of any displeasure upon the part of any individual under any circumstances.

Whether it be a matter of displeasure for some or not, nevertheless we will pursue the even tenor of our way in presenting this thing as best we can. There is another day, another day far beyond that in which we are speaking. There is another time coming when it may be that some one will look at that which has been transpiring to-day. There will be another time in the history of this Republic when there will be other conferences, and other conferences wherein people may be heard upon various subjects and various categories. If preceding 1922 we had had a conference wherein we had learned something of that which might befall us during one of those peculiar assemblages, if then we had had knowledge of what might happen to us, perhaps we would never have sacrificed all that we sacrificed in 1922.

Then, as I said this morning, there was but one vote against the treaty. There will be more than that, at any rate, to-day; and the experience this body may have had from the discussion of this treaty may save some future Senate from some future conference and from some future giving away of the Navy of the United States. If we do no more than point the way, if we do no more than have them pause and heed and listen and think in the days to come, we will have done enough.

Talk about a conference limiting armament and reducing naval force! Until it came from the Senator from Pennsylvania the other day there had not been a single, solitary word mentioned by anybody, except when I cross-examined the Secretary of State before the Foreign Relations Committee about the demand for another dreadnaught over at London. Talk to me about parity, and of the fact that we had parity with Great Britain in battleships. Here is the provision that was in the proposition made by the American delegation, submitted by the distinguished Senator from Pennsylvania; submitted, as I am told, with the statement that its terms could not be altered, only its phraseology could be rewritten. In submitting it, here is what he said:

In order to realize now the parity in battleship tonnage which was ultimately contemplated by the Washington treaty by balancing the *Rodney* and *Nelson* the United States may lay down one 35,000-ton battleship in 1933, complete it in 1936, and on completion scrap the *Wyoming*.

Just think of it! The American delegation in writing says:

Why, we have got parity with Great Britain now. It makes no difference that the *Rodney* and the *Nelson* are powerful ships, and that those powerful ships are better than ours; we have parity, and we are able to do everything that is essential of a navy equal to that of Great Britain.

And in their official communication they say to the other parties to this contract, to those with whom they are dealing:

In order to realize now the parity in battleship tonnage, we demand the right to build another battleship.

I do not need to argue any more about parity in battleships. There is the argument presented by our brethren, the delegates to London.

When Secretary Stimson was asked about that, he paused a moment and said, "That was a bargaining point." Bargaining for what? We never got a thing. Bargaining for what? Bargaining, finally he said, as I recall it, for the right to modernize our ships! We were already doing it, and had spent nearly \$40,000,000 already in doing it. So he was bargaining with a

mythical battleship in order that he might obtain parity in order that he might modernize ships which he was already modernizing, and which he could not stop modernizing if he wanted to. That was the situation presented by the testimony, and these gentlemen never have mentioned anything about this battleship they asked for over in London. The London Times says—I do not know how accurate the statement is—that when they gave out their statement over in London of their demands, or their desires, they omitted that portion of it relating to the battleship. I do not know how accurate that is, but the London Times states it, and it was not until two days afterwards, when it was learned from the Japanese delegation, that the press knew America was demanding another battleship. At any rate, we were demanding it. That is where we got. We were demanding it. We did not get it, of course. The British Admiralty saw to that, but we demanded it, and we demanded it in order that we should get parity. So much for that.

Mr. President, now I leave the subject temporarily. It is an embarrassing situation, this, with me. I speak in frankness here. With the Secretary of State I was on terms of fair amity. I wished him well. I wish him well now. When he went abroad on this excursion I hoped that he would succeed. I dislike exceedingly to be in disagreement with him. It is embarrassing for me to be in disagreement with two of my fellows upon this floor. I like to be on terms not only of intimacy with all the men on this floor, but on terms of affectionate friendship with all of them here. It is embarrassing to disagree with them. But there is something far beyond their feelings or mine, something far beyond our personalities in this discussion.

This treaty is a treaty which ought not to be ratified by the United States of America. It is a treaty which, in the days to come, will plague us. It is a treaty which, sitting where I do, 3,000 miles away, I know can not do what ought to be done in behalf of our country. It is a treaty which, after all—and you can not gainsay it—denies us the sort of ships to which we are entitled for our protection, and in one kind of ships Britain makes the specifications for our Navy. It is a treaty which we should not, if we believe in American defense and the protection of American commerce, for one instant tolerate. It would do no harm to defeat it, not a bit. Remember, there are two nations at loggerheads which are outside of the contract relation now, just as they have been for a long time in the past. They are parties to the original contract to have another conference in 1931. That could be held. No one could be harmed. No country yet has ratified this treaty. Why is it necessary, with the invitation coming to us originally and to the other countries from Great Britain—why is it necessary for us to be forced to ratify this treaty, to be forced no matter whether we want to debate it, or no matter what we wish to say concerning it? Why is it necessary that we should be the first to act upon this treaty?

It emanated from abroad, and, emanating from abroad, there first it should be ratified. It will be ratified in England if the Labor government lasts, I concede. It will be ratified in Japan, I admit. But if there should be a change in the government across the Atlantic and that change should come before ratification, no man could say what might be the result. Why, I ask, is it necessary for us to act in such haste? Echo answers, why?

There has not been time for these gentlemen who attended the conference ever to make a report upon this treaty. There has not been even a report from the Foreign Relations Committee. There has not been a written line officially, save the message which came to us lately from the President, concerning this treaty. Never before in the history of this land was such a procedure followed. Why is it necessary now, in the heat of a political campaign and in the dog days in the city of Washington, to ratify this treaty and to ratify it without delay?

To-day the Chief Executive has in his hands, I am informed, various appointments to various offices which constitute the most important positions internally and domestically this country has. He will not send them even to the Senate for fear we might be delayed an hour, two hours, or a day in the ratification of this treaty.

The whole country may go hang, every policy may be avoided, offices which have been created by the Congress with the President's assent may go unfilled, in order that this treaty may and must be ratified. There is no earthly reason for the haste and for the mode in which its proponents have gone forward with this document. Sir, upon every standard it ought to be denied ratification and ought to be sent hence without the approval and the sanction of the Senate.

Mr. McKELLAR. Mr. President, will the Senator yield for a question before he takes his seat?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Tennessee?

Mr. JOHNSON. I do.

Mr. McKELLAR. In view of what the Senator just said about haste, has the Senator been advised that there is now being circulated in the Senate a petition for cloture?

Mr. JOHNSON. I understand one is already prepared and already signed, but I do not know anything about that. Naturally it would not be submitted to me, and naturally I would not sign it.

Mr. McKELLAR. Mr. President, before going into what I had intended to say at this time I want to introduce several reservations to the treaty. It will be remembered that when our commissioners went to London there were quite a number of questions in the public mind and much discussed by the Congress of the United States, including freedom of the seas. When our delegates got over there they paid no attention whatever to the express direction of the Congress and not only omitted, but, according to the Senator from Pennsylvania [Mr. REED], went so far as to refuse to consider the question of the freedom of the seas.

Many peculiar things have happened in reference to the treaty, but, remarkable to state, the Senator from Idaho [Mr. BORAH] is now in nominal command of the treaty. I say "nominal" because I do not know who really is in command of it. Some say it is the Senator from Idaho [Mr. BORAH], some say it is the Senator from Indiana [Mr. WATSON], some say it is the Senator from Pennsylvania [Mr. REED], and some say it is some one else. At all events the Senator from Idaho [Mr. BORAH] has many times expressed the opinion on the floor of the Senate that the most important question to be discussed whenever the conference should come was the freedom of the seas. Such an impression did it make upon us that he formulated a proposal and offered it as an amendment to the cruiser bill. It was modified and adopted as modified and is now the law of the land.

But did our commissioners consider that law? Oh, no; they were above the law. In the words of the Senator from Pennsylvania, they even refused to consider the very subjects which they were instructed to consider by unanimous vote of the Senate and, as I understand, unanimous vote of the other House in the enactment of a law which was later signed by the President. One British statesman said that he regretted very much that our delegates had declined to consider that question.

But freedom of the seas was not the only thing that they declined to consider. They did not consider the question of merchantmen to be used in time of war. I see my friend Mr. John Crockett at the desk and I ask that he may read the reservation which I shall offer in connection with the treaty.

The PRESIDING OFFICER (Mr. FESS in the chair). The clerk will read the proposed reservation.

The Chief Clerk (Mr. Crockett) read as follows:

Reservation intended to be proposed by Mr. McKELLAR to the resolution advising and consenting to the ratification of the treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930:

"Whereas in times of war merchant vessels are frequently convertible into cruisers by nations, oftentimes carrying 6-inch guns; and

"Whereas it is desired in any limitation of arms to limit the number of such merchant ships which may be mounted with guns and used for warships; and

"Whereas many of the larger merchant vessels are in such a subsidized or corresponding status that the governments of the countries to which they belong have specifically reserved legal rights to take the vessels into their navies in time of war, thus making these ships actually a reserve for war in substantially the same sense as are the regular vessels of war limited by this treaty: Now, therefore, be it

"Resolved by the Senate, That the Senate ratify the foregoing treaty with the distinct understanding and agreement that in the event any one of the five principal signatory powers hereto go to war with an independent nation, that they will limit themselves in the number of merchantmen convertible into warships mounting guns in excess of 3-inch caliber as follows: Great Britain 30, United States 30, France 20, Italy 20, and Japan 20; and

"Resolved further, That the other four principal signatory powers shall express their approval of this reservation before said treaty shall become effective."

The PRESIDING OFFICER. The proposed reservation will be printed and lie on the table.

Mr. McKELLAR. Mr. President, it will be remembered that in the British propaganda which has been offered about the treaty, the chief propagandist of the British Government, Mr. Ramsay MacDonald, when he was here in the United States, made a proposal of this kind: "We want America to have parity, brimful and running over." Brimful and running over!

I now want to call attention to the fact as to why Great Britain desired America to stop building 10,000-ton, 8-inch-gun cruisers and wants us to build only 6-inch-gun cruisers. It is

perfectly apparent. She can add, as some one stated here the other day, several hundred 6-inch-gun cruisers almost overnight. She can have the guns prepared and ready for an emergency to man almost as many merchant vessels as she desires with 6-inch guns. No wonder she does not want the United States to have larger guns.

I do not say this upon my own authority. I give a higher authority than myself. I read from a recent speech of Commander Kenworthy, one of the leading statesmen of Europe, and a naval officer. Said Mr. Kenworthy:

It was a most extraordinary example of lack of appreciation of the value of our mercantile marine. He says our incomparable mercantile marine, one-third of all the merchant shipping of the world, must not be considered as any asset to us at all—

Meaning in time of war—

And yet this is the right honorable gentleman, who was First Lord of the Admiralty when the tenth cruiser squadron was formed of merchant ships, which did most valuable service in carrying on blockade service in the North Sea. He was the right honorable gentleman who led men drawn from the mercantile marine and wasted them at Antwerp with insufficient equipment. He does not know that, without the mercantile marine and the trawlers, the Grand Fleet could hardly have gone to sea, the submarines could not have combated, and we should have lost the war. Having forgotten all these things, for the sake of making a party point against the First Lord and the Prime Minister, he says, "You have no business to take the mercantile marine into account." Of course, you must take the mercantile marine into account.

Listen to this:

If by some lucky stroke of common sense on the part of the governments of the world every war vessel should be scrapped by mutual agreement and we had no regular Navy, we should incomparably be the strongest naval power. The lower you cut down the navies of the maritime powers the stronger we become, as long as we preserve our mercantile marine and see that there are not too many Chinese under the British flag.

That comes from a British statesman, a British naval officer. There can not be any doubt about its accuracy. Here we are, under the terms of this treaty, limited during the life of it to 15 cruisers of 10,000 tons carrying 8-inch guns. All others that we are permitted to build by the gracious condescension of Great Britain are to be 6-inch-gun cruisers. She has four times as many of the 6-inch-gun cruisers as we have to-day, and in addition to that, as I think the Senator from Minnesota [Mr. SHIPSTEAD] said the other day, she could put 1,500 of them into service in a very short time. I do not know that there are that many, but she has a very large number, and yet with that knowledge the Prime Minister of Great Britain came over here and told the United States that he is in favor of "parity brimful and running over." It is absurd and ridiculous. There can be no parity as long as there is no limitation upon 6-inch-gun merchant vessels immediately convertible or almost immediately convertible into warships.

So I have offered a reservation to bring about a better condition as to the merchant vessels. I understand that Great Britain used a great many of them in the last war. My reservation provides that Great Britain can convert 30, the United States 30, and the other nations 20 apiece. That is fair. That is on the 5-5-3 ratio. These vessels were not built as war vessels and they are not intended to be war vessels, or ought not to be. They are intended to carry the commerce of the world. Under the guise of parity we get a provision of that sort which is nothing in the world but a joke. It is the joker in the treaty.

I want to say with all due respect, while I esteem our commissioners very highly, that they ought never to have come back with any agreement which did not include the number of merchant vessels that could be converted during the war carrying over 3-inch guns, because as long as that situation exists there can not even be a semblance of parity in cruiser strength.

While I am on that subject I want to call the attention of the Senate to another statement by Commander Kenworthy:

I am hoping that, while the Senate will ratify the treaty, the American people will refuse to find the appropriations for the tremendous expansion of the fleet. If you look at the figures of the fleet now and as it will be to build up to parity, it is a tremendous expansion.

Having read of British statesmen for many years, I say that they are just as shrewd diplomats as exist on the face of the earth, and I believe perhaps the shrewdest. They think out their propositions ahead of time. They look into them carefully. They know what they want. They knew what they wanted before the conference was ever called. They knew precisely what they wanted. They reached every objection,

whereas the commissioners from the United States did not reach a single objection. We did not get parity in any category. We did not get parity in battleships. We did not get parity in cruisers of the first class or the second class. We did not get parity even where we had an equal number, as in submarines and destroyers, because Great Britain's are new and Japan's are new, while ours are old.

Great Britain never lost a point and never made a mistake. With dogged tenacity of purpose she kept on in her demands and finally got what she wanted. She is not limited in cruisers. The escalator clause prevents that. She got four times as many as we have now. She can have innumerable others in the way of converted merchant ships.

So Commander Kenworthy is right. If every battleship and every cruiser of the first class and of the second class—or category, as it is now called, in order to get another kind of a yardstick—if every submarine and every destroyer and every aircraft carrier were destroyed, she would have great superiority over us, as Commander Kenworthy states, because her merchantmen can be converted into 6-inch-gun cruisers overnight. So, Mr. President, I have offered that reservation. It was an omission which, in my judgment, our commissioners should not have made. I think they made a mistake; I know they made a mistake.

What particular thing does America get from the London treaty? As somebody has stated, she gets a reduction of armament. What does Commander Kenworthy say about that? We may appropriate hundreds of millions of dollars to build ships that our own naval experts have stated are not the kind of ships that we need for our defense, but, as Commander Kenworthy says, "Having limited them to 6-inch guns of the cruiser class, we do not believe that America is going to spend the money"; and neither do I believe it. We have got to take a woeful inferiority, because I doubt if the American Congress will spend the money to build ships which the United States does not want and does not need and which are not suitable for our purposes.

Why should we build 6-inch cruisers when they are not the kind needed for our defense? I am no prophet, but I venture the assertion that if this treaty shall be ratified, as it seems it is going to be ratified, America will never build the 143,000 tons of 6-inch-gun cruisers that Great Britain has graciously consented we shall be permitted to build. On yesterday I undertook to show that no self-respecting nation, no nation of red-blooded men, no nation whose citizens love their country would be willing to say to another competitive nation, "We will use the kind of guns with which to fight you, if we should ever happen to fight you, that you want us to fight you with, and not the kind that we believe we can be successful with; we will use the kind of guns you say." I do not think there could be a more ridiculous attitude assumed than I believe that to be.

Mr. President, I come to another reservation that I am going to offer and I will read it myself. The Chief Clerk, Mr. Crockett, is almost a perfect reader, but I am so much interested in the matter that I believe I will read this reservation myself. I offer this reservation:

Whereas on July 24, 1929, a treaty was signed by all the signatory powers to the London pact outlawing war; and

Whereas under said treaty outlawing war, known as the Kellogg pact, it is provided as follows—

Now, here is the Kellogg pact:

"The high contracting parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

"The high contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means"; and

Whereas at least two of the signers of the said Kellogg pact have since actually engaged in war in contravention of its provisions; and

Whereas there is now no penalty attached for a violation of the agreements contained in said pact; and

Whereas in a public statement issued by President Hoover and Prime Minister MacDonald on the 9th day of October, 1929, there is found the following—

I quote from the joint instrument, the very remarkable instrument, which was published on the 9th day of October, 1929—

"In signing the Paris (Kellogg) peace pact 56 nations have declared that war shall not be used as an instrument of national policy. We have agreed that all disputes shall be settled by pacific means. Both our Governments resolve to accept the peace pact not only as a declara-

tion of good intentions but as a positive obligation to direct national policies in accordance with its pledge"; and

Whereas President Hoover and Premier MacDonald further stated: "Our conversations have been largely confined to the mutual relations of the two countries in the light of the situation created by the signing of the Kellogg peace pact"; and

Whereas it is plainly evident from said joint statements issued by President Hoover and Prime Minister MacDonald that one of the principal purposes of the conference proposed by them was to give force to the Kellogg peace pact; and

Whereas such treaty was predicated upon said pact: Now, therefore, be it

Resolved by the Senate, That the United States ratifies this treaty on the explicit condition and the express agreement that no one of the signatory powers hereto will violate the terms of the Kellogg pact, and in the event that any one of them does violate said pact it is understood and agreed that this treaty will ipso facto become null and void; and

Resolved further, That the other four principal signatory powers shall express their approval of this reservation before this treaty shall become effective.

Mr. President, the Kellogg peace pact as it is now written is a ridiculous instrument. It is of absolutely no use to the world except as a pleasing gesture in favor of peace. The whole world talked about it for years, and yet it has no force, and it has been found from actual experience that it has no force. China and Russia had hardly signed the pact before they engaged in war. Why? Because it has no power behind it.

Mr. SHORTRIDGE. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. Certainly.

Mr. SHORTRIDGE. The Senator once thought that it was a very great and wise treaty, did he not?

Mr. McKELLAR. Oh, no. I should like to quote to the Senator, if I had time, at this moment just what I said about it.

Mr. SHORTRIDGE. But the Senator voted for it, did he not?

Mr. McKELLAR. I voted for it.

Mr. SHORTRIDGE. Certainly.

Mr. McKELLAR. I voted for it simply because there was nothing hurtful in it, because it was just a pleasing gesture; I voted for it just as I smile at the Senator from California, who is always smiling at me.

Mr. SHORTRIDGE. I smile back at the Senator from Tennessee.

Mr. McKELLAR. The Senator always does.

Mr. President, I do not think anyone will say that the Kellogg pact as an instrument of peace is of any except a psychological value. Does the Senator think differently?

Mr. SHORTRIDGE. Will the Senator permit me to reply?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. Yes; I yield.

Mr. SHORTRIDGE. I think it is one of the noblest, almost sublime, treaties that was ever entered into between independent nations. There are, I believe, 64 independent nations on the earth, and I am under the impression that all, with the exception possibly of one or two, have subscribed to that treaty.

Mr. McKELLAR. I think all but two have signed it.

Mr. SHORTRIDGE. Yes. And in so doing they abandon war as an instrument of national policy and agree to submit all controversies to peaceful arbitration and settlement. I think it has had and I think it will continue to have the most wholesome and beneficial influence on the world.

Mr. McKELLAR. Does the Senator think it had either a wholesome or beneficial influence on China and Russia when they went to war after they signed it?

Mr. SHORTRIDGE. Not an immediate influence.

Mr. McKELLAR. That was unfortunate, was it not?

Mr. SHORTRIDGE. It was unfortunate, indeed.

Mr. McKELLAR. Let me ask the Senator another question, if I may. The Senator has characterized the Kellogg peace pact as one of the noblest instruments ever written. He has characterized it in much better language than I have employed, but that is the substance of what he said. Would not the Senator like to have it not only beautiful in language, not only noble in sentiment, not only attractive in form, but would he not like to give it a little force, so that it would have an effect in keeping nations from going to war?

Mr. SHORTRIDGE. Mr. President, that is a very proper question.

The PRESIDING OFFICER. The Senator from Tennessee yields the floor if he yields for anything but a question.

Mr. McKELLAR. Then I will yield merely for a question. Let it be understood, however, that, so far as I am concerned,

I am perfectly willing to yield. I should like to have the Senator from California talk as much as he wishes. He always talks well, and he need not put what he desires to say in the form of a question unless the Presiding Officer rules that he must do so; but I do not want to be taken off my feet.

Mr. SHORTRIDGE. An interrogation point can be put after what I shall say.

Mr. McKELLAR. Very well; that will be fine.

Mr. SHORTRIDGE. I made some remarks in favor of ratifying that treaty—

The PRESIDING OFFICER. Does the Senator from Tennessee yield the floor?

Mr. McKELLAR. Oh, no, I do not yield the floor; I yield simply for a question.

Mr. SHORTRIDGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SHORTRIDGE. The Senator from Tennessee has the floor and he permits an interruption.

The PRESIDING OFFICER. The Senator from Tennessee has the floor as long as he holds it.

Mr. SHORTRIDGE. May he not permit an observation to be made by a brother Senator?

The PRESIDING OFFICER. If he yields to anything but a question, he yields the floor.

Mr. McKELLAR. I yield only for a question.

Mr. SHORTRIDGE. If that is the ruling of the Chair, of course I bow at the feet of Gamaliel.

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. I will yield to the Senator for a question.

Mr. SHORTRIDGE. I am submitting a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. SHORTRIDGE. The inquiry is, Has not the rule announced by the Chair been violated every hour of every day of this session?

The PRESIDING OFFICER. That is not a parliamentary inquiry.

Mr. SHORTRIDGE. I bow to the ruling of the Presiding Officer.

Mr. McKELLAR. I will take the place of the Presiding Officer for a moment down here on the floor, and say to the Senator from California that the rule referred to has been violated all the time, except when the majority wanted to put something through *volens volens*. When they want to gag the Senate, when they want to enforce cloture through the Chair, then that antiquated rule is enforced. I am not going to give the Chair the opportunity to enforce that rule against me. I am perfectly willing to yield to Senators, but I want them always to put their remarks in the form of questions, otherwise I am not going to yield.

The Senator from California has described the Kellogg peace pact in a beautiful way, and of course we all recognize that it is well written. I have been told that, while it is called the "Kellogg peace pact," it was written by M. Briand, the Prime Minister of France, who is a past grand master in the use of language. Its two paragraphs are certainly beautifully written, but they are as meaningless as they are expressive; they are absolutely meaningless. A nation signing it is under no obligation in the world, except an obligation which it may or may not regard, to carry it out.

I want to carry it out. Here are Japan and Great Britain, intensely interested in this treaty. They get wonderful advantages in this treaty. They get an advantage in battleships. They get an enormous advantage in class A cruisers. They get an enormous advantage in class B cruisers. They get an equal advantage, say—Japan gets a greater advantage—in submarines. In destroyers, they get an advantage because of their newness. Great Britain not only gets those advantages, but she has the advantage of naval bases all over the world from which she can fight. Japan has the advantage of naval bases. America gives up these advantages. Great Britain has another advantage of her merchant ships. Great Britain has another advantage of her ability to transform these merchant ships into cruisers. She has the other advantage of being the present controller of the seas, and she wants to continue that control; and, therefore, she is intensely interested in this treaty.

Something has been said about Prime Minister MacDonald. I have not been in politics all my life, but I have been for nearly 20 years; and if I ever knew a political situation, I think I see that political situation in London. They are just as anxious to put MacDonald out as it is possible for them to be. They would put him out to-morrow if we had ratified this treaty yesterday. They are just keeping him there long enough to pull their chests out of the fire. They are just keeping him there long

enough to have this treaty ratified, and then they are going to put him out of business.

I am a great admirer of Mr. MacDonald. He is one of the leading socialists of the world, yoked up with you reactionary Republicans. I can not imagine, it is the hardest thing in the world for me to imagine, a socialist like Mr. MacDonald walking hand in hand with the distinguished tall sycamore from California, at whom I am looking at this moment. I never thought in all my life that I should see the junior Senator from California walking arm in arm in political life with this great socialist from across the sea or any other socialist.

I do not believe that the Senator believes in socialism. I am sorry the Chair will not allow him to ask me a question. I see it sticking out right now. He wants to ask me right now some questions. He wants to discuss this matter and wants to deny that he is a socialist or that he believes in socialism; and yet he believes in sinking the American Navy absolutely. He voted to sink 835,000 tons of the American Navy in 1922, when Great Britain sank only 150,000 tons of old hulks that were obsolete. He is going to vote this time to sink 338,000 tons to Great Britain's 185,000. That is what he is going to do.

If the junior Senator from California [Mr. SHORTRIDGE] and those who believe with him, those who are following this new-fangled socialist leader, continue in their present course, they are going to put the American Navy entirely out of business. It will not take more than three or four more conferences to sink it entirely. We shall not have any navy. We are talking now about equality. We have some old battleships. The Senator is on the Naval Affairs Committee, and he will bear me out in what I say. We have 13 old battleships in our Navy that can not shoot as far as any of Great Britain's 20 battleships; and under this treaty we get the gracious permission of Great Britain to revamp those old hulks, and to elevate the muzzles of the guns so that they can shoot a little farther. That is one of the "advantages" that we get under this treaty.

We have the right under the present treaty to build two great battleships like the *Rodney* and the *Nelson*. The Senator is not willing to stand by that right; but he says, "We will take \$80,000,000 of the American people's money and revamp the old ones, and see if those guns can not be made to shoot a little farther." I hope they will be made to shoot a little farther. Mind you, the \$80,000,000 that you take to fool with those old guns, to revamp them, would build two battleships of the *Rodney* and *Nelson* class and more. It would be cheaper to do it.

Mr. SHORTRIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. I yield for a question.

Mr. SHORTRIDGE. For a question.

Mr. McKELLAR. For a question.

Mr. SHORTRIDGE. At whom are you going to shoot?

Mr. McKELLAR. I pray heaven that we may never have to shoot those guns in hostile fashion against anyone; but does the Senator say that he is willing to send our ships to the bottom of the sea when our chief competitors on the sea, two of them, are building their warships stronger and better all the time? If he does say that, I want to answer him and say that I regard him as a very unpatriotic American citizen.

Our commerce on the sea equals that of any other nation in the world. It goes to every mart on every sea. It reached the same rate with that of Great Britain this year. Each of them passed the \$10,000,000,000 mark. Is the Senator willing to sink our Navy and let our commerce be unprotected, and allow Great Britain to hold hers and protect her commerce?

Remember that the prosperity and happiness of the American people depend upon sending our products abroad, because we produce more of them than we can consume. The only way we can succeed as a nation is to have a navy to protect that commerce; and I call the Senator's attention to another thing:

He does not want to give up the Philippines.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. I yield for a question. I understand that a new rule has been established this afternoon.

Mr. SHORTRIDGE. Does the Senator remember that I recently offered an amendment to the Harris bill, providing for the exclusion of Filipinos from continental United States, and in the course of my remarks in support of that amendment said that, if I had the power, I would give independence to the Philippines to-day, or to-morrow, or at the very earliest moment? Does not the Senator remember that that was the attitude I took?

Mr. McKELLAR. No, Mr. President; I must have been out of the Chamber temporarily, and I did not hear that. I want to congratulate the Senator. Fine! Fine! I think the Senator

is exactly right. We ought to give up the Philippines. We ought not to control any foreign country. We ought not to keep any foreign people out of their liberty. It is contrary to every American institution, to every American tradition, to every American theory of government. We ought to have given the Philippines their independence long ago; and I join the Senator in saying that I will help in every way I can to bring about the result he has just mentioned.

Ah, but the Senator will agree with me on another proposition—that as long as an adverse Congress will not do it, as long as we keep those people, it is our duty to defend them. We have no right to take a subject people and then not defend them against the aggression of other nations; and I want to say that we can sink our Navy—as we are going to do, a great part of it, under this treaty—without opposition. Oh, let the Senator from California ask me a question or two when he wants to. It will not hurt him. It will not hurt him at all. I like to hear the Senator ask questions; and since he tells me that he has come out on the side of the freedom of the Filipinos, I am still more anxious for him to take part in the discussion.

Mr. SHORTTRIDGE. Mr. President—

Mr. McKELLAR. I yield to the Senator.

Mr. SHORTTRIDGE. I want to observe the rule as it has been interpreted.

Mr. McKELLAR. Oh, of course I do, too.

Mr. SHORTTRIDGE. I do not wish to offend against it; but, putting it in this form, and then I am done, does not the Senator remember that in a rather elaborate speech favoring the exclusion of Filipino labor from continental United States, not including for the moment the Hawaiian Islands, I pointed out in substance what the Senator has just uttered—namely, that there is an inherent desire of a people to be free—that I had thought that when we broke the shackles of Spain, and in a sense freed the Philippine people, they would welcome the American flag, be proud and happy under it; that we had given them peace, given them education, prosperity, and many other benefits, but that I added that I had overlooked for the moment that there is in the heart of a separate people a desire to be the masters of their own destiny, and that therefore I thought we should give them complete independence?

Mr. McKELLAR. I again compliment the Senator on his position, and my only regret is that he does not apply that principle to this treaty. The Senator said that he would give to people the right to work out their own affairs in their own way. When a Senator feels as the Senator from California does on that subject, I am wondering how it really affects him in his heart when he is told by another nation, through a treaty, that he can not build any but certain kinds of guns, and he can not build any but certain kinds of ships, and he must make those guns as small as possible.

Of course, if I expected to go to war with the Senator and could find some method of getting him to make smaller the gun with which he was going to fight me, I presume I would do it; but I do not believe that the Senator would be willing to do that in personal warfare. The same rule applies to nations. Why is it that we should accept dictation from another nation as to what kind of ships and what kind of guns to use?

"Why," they say, "that is the only way we can get a limitation of armaments." Quite the contrary. If the Senator were managing this thing, he would say, "Let Great Britain build 339,000 tons of cruisers, and, if we are to have parity, let America build 339,000 tons of cruisers, and let each nation vie with the other as to the best gun they can build within that limit; and if Great Britain's idea of a 6-inch gun is better than our idea of an 8-inch gun, she would win. On the other hand, if our theory about the matter, if the contention of our Navy about it, is correct, then we would win."

It looks to me as though, under this treaty, Great Britain says to the United States, "We hope we will not have any trouble; but if we ever have any trouble, 'Heads I win, and tails you lose.'" That is mighty nearly what it is.

Mr. President, for that reason I offer the reservation I have just read. It is possible it may be voted down. I call the attention of the Senate to the next reservation which I am going to offer now, and which I may or may not press when the time comes.

The VICE PRESIDENT. Does the Senator desire to have the reservation read, and printed, and lie on the table?

Mr. McKELLAR. I have already read it.

The VICE PRESIDENT. It will be printed and lie on the table.

Mr. McKELLAR. I have another one I want to read. This puts teeth in the Kellogg pact, which lacks teeth now. A nation can go to war, and there is no penalty. Here are five nations.

Three of them are real signers, and the others—what kind shall we call them, "phoney" signers? Adjunct signers, I think would be better. France and Italy are adjunct signers, and Great Britain, the United States, and Japan are the real signers of this treaty. Anyway, the five nations are the leading nations in the world, and in saying that I do not care to cast any reflection on Germany, which is at present in eclipse. I do not think they will be long in eclipse. They are wonderful. They will come back. They are looking after their own business, they are attending to their own affairs, and whenever we find a nation attending to its own business and looking after its own affairs, not desiring the territory of others, not desiring to get an advantage of others, it is bound to come back, and Germany is doing that very thing to-day. She has made a wonderful record since the war. Only 12 years have gone, and during those 12 years industrially and commercially she has come back, she is building her ships, she is improving her country, she is improving her trade and commerce with all the world. I take my hat off to Germany, and I mean no disrespect to her when I say that she is not now included among the five great nations. But the five nations who signed this pact ought to set a good example if they want the peace of the world. If they want it conserved, as they say they do, they ought not to violate agreements. Some of us became wrought up when we found that Russia and China were violating their own agreement to stay out of war.

Mr. SHORTTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from California?

Mr. SHORTTRIDGE. I just want to ask a question.

Mr. McKELLAR. I yield.

Mr. SHORTTRIDGE. Does not the Senator recall that it was by virtue of the Kellogg treaty being called to the attention of Russia and China that a possibly great and destructive war was averted?

Mr. McKELLAR. No; I do not. I think the Senator is mistaken about that. I agree with him in pretty nearly everything he has said up to this time, except in being in favor of this treaty. But the Senator is mistaken about that. The war is still going on in some places.

Mr. President, I offer this reservation:

Whereas on July 24, 1929, a treaty was signed by all the signatory powers hereto to the London pact outlawing war; and

Whereas under said treaty outlawing war, known as the Kellogg pact, it is provided as follows:

"The high contracting parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

"The high contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means"; and

Whereas at least two of the signers of the said Kellogg pact have since actually engaged in war in contravention of its provisions; and

Whereas there is now no penalty attached for a violation of the agreements contained in said pact; and

Whereas in a public statement issued by President Hoover and Prime Minister MacDonald on the 9th day of October, 1929, there is found the following:

"In signing the Paris (Kellogg) peace pact, 56 nations have declared that war shall not be used as an instrument of national policy. We have agreed that all disputes shall be settled by pacific means. Both our Governments resolve to accept the peace pact not only as a declaration of good intention but as a positive obligation to direct national policies in accordance with its pledge"; and

Whereas President Hoover and Premier MacDonald further stated: "Our conversations have been largely confined to the mutual relations of the two countries in the light of the situation created by the signing of the Kellogg peace pact"; and

Whereas it is plainly evident from said joint statements issued by President Hoover and Prime Minister MacDonald that one of the principal purposes of the conference proposed by them was to give force to the Kellogg peace pact; and

Whereas such treaty was predicated upon said peace pact: Now, therefore, be it

Resolved by the Senate, That in the event any one or more of the five principal signatory powers to this treaty, namely, the United States, Great Britain, Japan, France, and Italy, violate the Kellogg peace pact by going to war with an independent nation, it is mutually understood and agreed that the said nation so going to war in violation of said Kellogg peace pact, that fact to be determined by arbitration as now provided for in existing treaties subsisting between the parties, shall pay as liquidation damages in equal proportions to the other signatories not going to war, the sum of \$1,000,000,000; and

Resolved further, That the other signatory powers shall express their approval of this reservation before this treaty shall become effective.

I ask that the reservation be printed and lie on the table.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McKELLAR. Mr. President, that, in itself, will bring about the peace of the world, because the other nations of the world are not going to war unless with the approval, direct or indirect, of one of these five nations. They can not afford to. This reservation simply provides that the peace of the world shall be preserved, and if it is not preserved as provided in the Kellogg pact, then the offending nation shall pay a billion dollars to those who do not offend. There is nothing unfair about it, and it will absolutely preserve the peace of the world.

I want to say to the Senator from California that that will do infinitely more, in my judgment, to preserve the peace of the world than will the sinking of some three or four hundred thousand tons of obsolete vessels, as provided in this treaty, or the building of a billion dollars' worth more to take their places.

There is already a tribunal for fixing the penalty. We have arbitration agreements with Great Britain. Talk about this being a peace pact! We have a peace pact with Great Britain now. We have a peace pact with Japan now. We have peace pacts with France and Italy now. They provide that the countries shall not go to war until they have had a cooling time of a year. They must submit to arbitration. Those peace pacts are known as the celebrated Bryan treaties of 1914. We do not need any other peace pacts. We do not need any other declaration that we are not going to war with one another, because we solemnly agreed 16 years ago not to go to war, but to submit any differences to arbitration.

After having made those pacts, the only reason I can think of for entering into the Kellogg pact, of a similar nature, was that the language chosen by Mr. Bryan in his peace treaties of 1914 was not quite as beautiful as the language chosen by M. Briand, of France. I do not know whether those gentlemen were related, directly or indirectly, away back or not, but their names are somewhat similar.

The only difference is in the language, and, of course, the superiority of the Bryan treaties is this—that the Bryan treaties provide a method of enforcement, namely, arbitration. The Kellogg peace pact is a mere statement, and nothing else. That is all there is in it, a mere statement.

I suppose under the present situation there is an arrangement on both sides of the Senate to rush this treaty through. Where is the credit going, if there is to be any credit? I do not believe there will be any credit. I want to be perfectly frank here. I think the political party which takes up this treaty and undertakes to base a fight on it is going to be badly hurt in the next political campaign. But I say to my Democratic friends, some of whom are going to vote for this treaty, if you think our party is going to get any credit for it, you are entirely mistaken, because the President is claiming credit for it, because Mr. WILLIAM R. WOOD has just given out a statement in which he claims the whole credit for this remarkable document. I want to read in part from Mr. Wood's statement, just given out, a political statement, a political document on which the next campaign is to be won or lost. This is what Mr. Wood said:

The American people desire to remain honorably at peace with all the countries of the world. We wish to settle any differences we may have with them without recourse to force. The greatest burden upon the world to-day by way of taxation is due to the maintenance of military and naval establishments in preparation for wars or for national-defense purposes and in meeting the obligations coming from past wars.

Hence, following informal discussions, in which the recently concluded Kellogg-Briand pact of peace outlawing war played a prominent part, another naval conference was convened at London in January last, and on April 22, 1930, a treaty was signed, the ratification of which will result in the establishment of complete limitation of naval armament, the further promotion of peace and good will among nations, and at the same time project itself in no small measure into the budgets of the treaty powers.

Again:

From an economic standpoint it is quite evident that the London treaty is a distinct accomplishment.

Mr. WOOD is sending out all over this country a statement of the accomplishments of the Republican administration, and he is claiming this treaty as one of the greatest of all, and some Democrats are going to help him.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BLACK. Even admitting what the Senator states, and conceding that the Senator's viewpoint with reference to this

treaty is correct, does not the Senator think that Mr. WOOD would be justified, even if this treaty is no good, in saying that this is about as good a thing as they have given the country?

Mr. McKELLAR. There may be something in that argument; I am rather inclined to think there is.

I want to say that, in my judgment, before this campaign is over, every man who votes for ratification of the treaty, whether he be a Democrat or Republican, is going to be apologizing for it, and that the President of the United States, and all others in authority on the other side, are going to be singing mighty low about it, because as soon as the American people learn what is in this treaty, learn that we are for the second time sinking the greatest number of ships that are going to be sunk under the treaty; when they learn, as they will learn, that under the 1922 treaty we sank 835,000 tons of the greatest battleships, most of them brand new, ever constructed anywhere by any nation, and that Great Britain sank only 150,000 tons of obsolete ones; and when it is learned that in this treaty America is sinking 333,000 tons and Great Britain 185,000 tons, they are going to wonder why it is that Great Britain and her superior navy are doing such a small part of the sinking, and why it is necessary for America to sink half a billion dollars' worth of ships at one time and probably \$200,000,000 worth the second time. They are not going to approve.

I was speaking of politics for just a moment in passing. I want to call attention to a statement made by my distinguished friend the senior Senator from Indiana [Mr. WATSON], one of the most delightful, lovable characters we have in the Senate, a man who is always smiling, whether he is right or whether he is wrong, and one of the best rough-and-tumble fighters in the country. He claims something for this treaty. I call attention to the statement of the Senator from Indiana, given out as a political document, claiming the credit for this treaty. This is what he said:

We are to add substantially to our cruiser strength. The settlement of this question will remove a point of international controversy and possible misunderstanding. It will stand as a landmark of progress toward world amity in the record of the Hoover administration.

Has anybody said anything about the Democrats, who will virtually ratify this treaty? Is anybody giving them credit for it?

Let me call attention for just a moment to these statements by the Senator from Indiana and by Mr. WOOD. The Senator from Indiana said, "It will prevent international controversy and possible misunderstanding." Mr. WOOD said, "It will promote peace and good will among the nations."

Peace and good will? They came very near bringing about war between France and Italy while this conference was going on in London. Time and again they had to bring in the peace-maker. They had to resort to the good-will advocates over there to prevent France and Italy from coming to blows, and the end is not yet. It is said that they have patched it up until the first of the year. I hope they have. I have nothing but the most perfect good will for them; but I want to say, as I have said before, that in my judgment there is nothing so provocative of ill will, nothing so provocative of misunderstanding and suspicion, as these miserable secret treaties, treaties about which the common man is not allowed to know and about which even Senators—and I think most of us are common sort of men—who have an equal right under the Constitution in the making of treaties, do not have any information at all. We are told, we are directed, we are commanded to ratify the treaty without dotting an "i" or crossing a "t," and without knowing anything about it, because the President has said he will not give us any information.

I wonder sometimes if the Senate does not feel proud of itself. It has been my pleasure to defend the Senate whenever it was attacked, but who can defend the body that will deliberately, without any knowledge of the facts, yield its power in treaty making, which will willingly step aside and say, "We have no power in relation to a treaty except to ratify, and that is formal"? We are getting into just exactly the condition the House of Lords reached in England many years ago. The House of Lords in England used to have an equal power in the making of laws with the House of Commons. The House of Commons finally got control of the situation and said to the House of Lords that unless they voted as the Government commanded them to vote enough new lords would be created who would vote that way, and in that way the power and right of the House of Lords was taken away from them. They are just a barnacle on the legislative program of Great Britain. They have no right to veto any measure. They pass it in a formal way just like the Senate will ratify this

treaty. I should think the Senate would feel very proud of its record in ratifying a treaty in this way.

Mr. President, I come now to the main thing I wanted to say. I have been talking about reservations. A week or so ago the President of the United States sent a message to the extra session of the Senate asking that the treaty be ratified. The extra session was called after a 15 months' session of the Congress, when all Senators are tired out and mentally on tenterhooks, so to speak, and before any other nation has ratified the pact. The President's friends in the Senate are hurrying the treaty through with greater haste than perhaps any treaty of equal importance was ever hurried through the Senate. I think they are trying to hurry it through faster than any kind of legislation or treaty was ever hurried through before.

Mr. President, there never was such haste in legislation in all the world. Remember, it took the President nearly a year to complete the negotiation of the treaty. He began it with Mr. MacDonald or Mr. MacDonald began it with him—we do not know which—nearly a year ago. He sent it down to us on Monday a week ago and expects us to ratify it without having any information about it. Without giving us any information he wants us to ratify it almost instantly. We are held in session from 11 o'clock in the morning until 5 o'clock in the afternoon to hurry it through, and that is not speed enough, so Senators are about to resort to cloture and are now circulating a petition for signatures for cloture to ram this treaty down the throats of the American people. Has any other legislation ever been rammed down our throats by cloture? Never except a treaty with Great Britain. Why is it done in this case? What power is it that a foreign government has that can force the Senate to ram a foreign treaty down the throats of the American people, a treaty under which we are confessedly at a disadvantage and under which American rights are not protected and American commerce is not protected? Yet cloture is about to be applied in order to ram the treaty down our throats.

Mr. President, it may be that Senators in the majority may rush this treaty through by cloture or other methods, but the day will come, in my judgment, when some of them will rue it. "Chickens come home to roost." A precedent of this kind established in this way will rise to plague the Senators who help to establish it. Cloture is no part of Senate procedure. We have our fights over local matters. We have most heated controversies over them. We stayed here for more than a year fighting over the tariff measure, which is a very important measure, important to every man, woman, and child in the country. We did not resort to cloture about it. We did not resort to cloture about the most important thing that happened to American interests. Great Britain was not interested in it.

But as soon as Great Britain and Japan become interested then we are asked to resort to cloture for their benefit. We will not do it for our own people, but we will resort to it for foreign countries. I think it is exceedingly unfair and unjust. I hope the majority will not resort to it. I have never believed in cloture. I remember when Senator Underwood became leader of the Democratic Party; he undertook to put through a cloture provision, and we had a great fight over it, but a lot of us younger Senators got together and defeated him in the effort. I am looking at this moment at the junior Senator from Florida [Mr. TRAMMELL], who is one of those that helped to do it. It was a wonderful piece of work that was done.

I am sure the Senator from Florida feels that cloture ought not to be used to ram a foreign treaty down our throats, hurtful to American rights, before even Great Britain has indorsed it, before Japan has indorsed it, and before either France or Italy has indorsed it. Even with a dictator in Italy she has not yet ratified the treaty, and yet America is to be hurried in its ratification. We are called here in almost torrid heat, called here after 15 months of continuous service in behalf of American interests, when everybody is tired out, called here to ram down the throats of the American people a treaty about which they do not know anything and about which many Senators do not know anything because they have not studied it.

I am looking at Senators now who have not made a study of the treaty, and many of them will vote under the party lash without knowing what they are voting for, because they have not examined it. If they would examine it, as I have, they would come to the same conclusion I have. But they will not do it. The weather is hot. Some Senators have campaigns on and they have but one idea, and that is to get away from Washington and back to their campaigns.

Mr. TRAMMELL. Mr. President—

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Florida?

Mr. McKELLAR. I yield.

Mr. TRAMMELL. I did not catch the statement the Senator made in regard to cloture. I want to ask the Senator if he knew that I had taken the position that at the present moment I do not see any justification for proposing cloture?

Mr. McKELLAR. Yes; the Senator told me that. I not only thank him, but I commend him with all my heart for having the courage to stand by his convictions even under such circumstances as we find here now. Senators, there is one sterling quality which should be possessed by every man serving in this body. No man ought to serve in this body unless he has it, and that quality is courage, courage to do your duty without regard to the importunities brought to bear, courage to stand for your country first of all.

I have nothing against Great Britain. I admire her as a nation. I admire her people. I think they are a wonderful people. They are wonderful statesmen, wonderful traders, wonderful commercial men; they are wonderful socially and wonderful in every way. We came from them. We honor them and respect them. But I am an American. I believe in America. I am for America before I am for the interests of any other nation in the world, no matter how much I admire or respect or esteem it.

It takes courage for a Senator to stand here for the right as he sees it. The only criticism I have of many of my colleagues in this matter is that they will not examine the treaty, but are voting under the party lash. I know if they examined and studied the provisions of the treaty they would see, as I see, how their own country is put at a disadvantage while others are put at a great advantage, and they would then have the courage to refuse to ratify the treaty.

I asked the question the other day, Is there a man here who will say that he stands for the treaty of 1922? I stop long enough to yield to any Senator for a response. There are not many Senators here, but will any Senator present rise in his place and state that he believes in the 1922 agreement, by which America sank \$35,000 tons of 8-inch-gun ships? Is there anyone here who thinks that was right? I shall be glad to have him interrupt me. Of course, there is no interruption. I do not believe there is a Senator here who thinks now that it was right.

We get no statements from the administration about the treaty that is before us. What is there about it? What did Mr. MacDonald say about it? What did Mr. Hoover say about it? I will tell you, Mr. President, what they said about it. It was stated that the London conference was to carry out, extend, and broaden the 1922 agreement. That is what was said. Here is the 1922 agreement, for which no Senator stands, which no Senator has the courage to stand up and defend; and yet Senators are going to vote for another agreement just like it, only worse. It is almost unbelievable to me that any condition could ever arise which would cause the Senate, knowing that the United States had once been enchained by the very same nations, to sit supinely by and let it again be enchained, in exactly the same way, except worse. That is what we are going to do; that is what we are doing.

O Senators, it will be a sad day for America when this treaty shall be ratified. It will be of no advantage to the United States. I wish to say that I think the fight which has been made against its ratification has certainly opened the eyes of many Americans to a situation that they never believed existed. According to the newspapers, the treaty of 1922 was one of the noblest treaties that ever was written; it was almost as sublime as the Senator from California [Mr. SHORTRIDGE] says the Kellogg pact is; yet no one defends that treaty, and for the first time, perhaps, in the history of our country since it was ratified have we been able to focus the attention of the American people on it.

I repeat, I am not a prophet, but I want to make the suggestion of a prediction—I will not go any farther than that—that we shall never engage in another such conference; no President and no commissioners will ever bring back to the United States Senate from a conference a treaty so hurtful to American interests as is this.

Mr. President, I want to call attention to a statement made by the President in his message calling the present session of the Senate together:

This is especially necessary because of misinformation and misrepresentation which have been widespread by those who in reality are opposed to all limitation and reduction in naval arms.

Mr. President, that is a very unfair statement. I have no doubt that practically every American would be willing to have a fair and just limitation of armaments, in plain terms, putting Great Britain and America on an equality. I would be wholeheartedly for any such measure; but the President says that he calls this session, in the heat of summer, after a previous

session of 15 months, because of misinformation and misrepresentation.

Mr. President, how could there be misinformation and misrepresentation if the President would simply tell us what the facts are? Is he in a position to complain of misrepresentation and misinformation when he declines to give the facts on which this treaty is based? That is what he does; he complains of misinformation; and yet he will not inform us what the true facts are.

I do not know what is contained in the withheld record; I have not seen it; I would not consent to look at it under the terms on which it has been offered; I think I would not be doing my duty as a Senator were I to do so; but I have heard that in that record there are things like the celebrated letter written in regard to the nomination of Judge Parker. I have heard that it contains peculiar statements and reflections on certain Senators, who, by the way, are supposed to be in favor of the ratification of the treaty. I have also heard that it contains reflections on some of our commissioners.

Mr. President, I refer to this not for any other purpose than to say that there is but one way in which to make international agreements, and that is in the open. I protested at the time against the secrecy surrounding this treaty. We should never have had any trouble about it if it had been made in the open. There is but one proper way in which to make a treaty, and that is in the light of publicity. If we want to be fair with each other as nations, why is it that it is necessary to conduct negotiations in secret? Why is it that we can not let the light of day come upon such negotiations?

I remember when Senators, some of whom are before me now—though one of them is leaving the Chamber, my good friend the Senator from Utah (Mr. Smoot), who was called back to Washington when he ought not to have been—argued against open executive sessions of the Senate. They wanted such sessions to be secret; they wanted to conduct the people's business in secret; but we began fighting for open executive sessions and persisted until we finally won. The Senate's business is now done in the open. Has anybody been hurt by it? Have you, Mr. President, ever heard any complaint about it? Have you ever heard anybody say that any of the business of the Senate ought not to be done in public? No; on the contrary, the whole country approves the action taken, and I doubt if there are any Members of the Senate who would vote to hold sessions in secret. Some Members of the Senate voted to retain secret sessions as long as their votes would not be published, but when the newspaper men began to publish their votes that action operated to our advantage, and finally it was voted to hold all sessions in the open, and now nobody would vote against them.

Mr. President, to continue, in his message the President makes another assumption which it seems to me is a violent one. He states that those who are opposed to this treaty "are opposed to all limitation and reduction in naval arms."

Mr. President, the President is wholly incorrect as to that. If he had negotiated a treaty that provided for a real reduction, or even a real limitation of naval armament, I doubt if there would be a vote against it; but the London treaty does not provide either for a reduction or for a limitation. As I shall hereafter more specifically point out in detail, though I have already done so in part, with the various categories of ships the reduction consists in the sinking within two years and a half after the last power ratifies the treaty of 9 battleships—5 by Great Britain, 3 by the United States, and 1 by Japan. The ships thus to be sunk will all be obsolete between now and 1934, two years prior to the expiration of the treaty.

I digress at this point long enough to say that they will not be sunk until they are obsolete, because under the treaty, as I recall, they are to be sunk after 24 months, and 6 months is then given in which to sink them. They will be sunk any way in the natural order of things, and if they are not sunk they will be of no value; and yet a great claim is made about the sinking of these ships.

Mr. President, under the proposed treaty the United States will also sink 140,000 tons of destroyers, about 64,000 tons of which have already been put into disuse by the United States, and the remainder of those to be sunk will soon be obsolete.

I call the attention of the Senate to this very remarkable situation. The Senator from Pennsylvania a day before yesterday had much to say about the position in which we found ourselves when we went into the London conference owing to the fact that Great Britain had four times as many cruisers as we had. He did not have a word to say about our superiority in destroyers. We had 290,000 tons of destroyers, while Great Britain had only a little over half that many, or 191,000 tons. Did we get anything on account of our superiority in destroyers? Not a thing. Surely if the Senator from Pennsylvania and the

other American delegates yielded to Great Britain in cruisers because Great Britain had so many more cruisers than America, on the same principle Great Britain should have yielded to us in destroyers, because America had so many more destroyers than had Great Britain.

It is a peculiar circumstance about this transaction, to which I want to call attention, that just before the conference took place the Navy Department was directed to put on the unused list about 90,000 tons of destroyers, so that when the conference was held about 90,000 tons of American destroyers were on the unused or disused list. So Great Britain and America were nearly on a parity in that class of ship, one having 191,000 tons and the other just a few tons more. Why was it that we were put at such a disadvantage as that? We had a great advantage; and yet we were placed at a disadvantage by our own people by putting on the unused list of naval vessels some 90,000 tons of destroyers.

Mr. President, Great Britain is to sink 40,000 tons of destroyers without regard to replacement, and Japan about 20,000 tons without regard to replacement. Of submarines Great Britain will not sink any; the United States will sink about 28,000 tons, and Japan about 25,000 tons.

Again America does the sinking; Great Britain does not do any sinking. The only ships she sinks are five battleships, which will become obsolete in 1934, and it is not necessary under the treaty that they shall be sunk until that year. She gets every day of use out of them that she could get in any event. No doubt she would sink them without any treaty; and yet a great hullabaloo is raised because Great Britain is to sink five battleships to our three. There is nothing in that provision of the treaty. Those battleships are obsolete or will be at the time they are to be sunk.

I digress here long enough to call the attention of the Senate to the fact that the only kind of ships Great Britain ever sinks are obsolete ships. If I remember aright, following the 1922 conference Great Britain claimed to have sunk 300,000 tons, but when that matter was looked into it was ascertained that 150,000 tons had been sunk nearly a year before the conference was called.

Mr. President, it will thus be seen that America is to sink of battleships 70,000 tons, of destroyers 140,000 tons, and of submarines 28,000 tons, a total of 238,000 tons; that Great Britain will sink of battleships 133,000 tons, of destroyers 40,000 tons, and no submarines and no cruisers, a total of vessels to be sunk of 173,000 tons. Japan will sink of battleships 26,000 tons, of destroyers 20,000 tons, and of submarines 25,000 tons, or a total of 71,000 tons.

Here, again, America does all the sinking. As I have previously said, and as others have also said, if we shall have a few more conferences we will not have any Navy at all.

These figures, Mr. President, tell the tale of what ships are to be scrapped by all three nations. All of these ships are obsolete, or nearly obsolete, and probably would be scrapped anyway. On the other hand, the treaty provides for a building program by the United States of over a billion dollars and a building program by Great Britain in which the sky is the limit.

Talk about limitation of armament! There is not the slightest limitation upon Great Britain in cruiser building. Under the escalator clause there is no limitation on Great Britain in her building; so when the President says that this proposed treaty provides for real progress in limitation and reduction in arms, with all due respect, he is in error. It provides neither for real reduction nor for real limitation.

There is but one way to insure real limitation and real reductions of naval arms, and that way is as follows:

All naval vessels are measured in tons. You remember that we had a tremendous controversy in the newspapers some time ago about the measuring rod for reduction or limitation. They were trying to find the Hoover measuring rod. They needed a new measuring rod. You might as well talk about a new measuring rod for dollars. Money in this country is measured from one end to the other in dollars; and so war vessels have been measured from time immemorial in tons. They can not be measured in any other way. They never have been measured in any other way. Even with this new measuring rod they are not measured in any other way. The new measuring rod will be, by the way, something like this: It is simply a division of the cruisers into categories A and B, so as to prevent America building the kind of ships that her experts say are necessary.

Mr. President, there are five principal categories in naval vessels—battleships, cruisers, destroyers, submarines, and aircraft carriers. Under the present condition of naval arms, a ratio limitation in tons is the only possible limitation.

For instance, if it were determined that each of the contracting parties—Great Britain and America—should have and retain 400,000 tons of battleships, 400,000 tons of cruisers, 150,000 tons of destroyers, 50,000 tons of submarines, and, say, 50,000 tons of aircraft carriers, that would bring about a real limitation and a real parity, and probably a real reduction. It would be absolutely fair to the two nations. There could not be any misunderstanding or misinterpretation, whether the papers were concealed from the Senate or not. If that sort of a measuring rod were used—the same kind that is used in the case of every other seagoing vessel, merchant marine, naval vessel, or any other kind—there could not be any misunderstanding about it.

If the President should negotiate a treaty substantially providing for limitation and reduction along real lines, it would have no opposition, in my judgment; certainly not from me. I believe both in reduction and in limitation of naval arms; but I do not believe that all the reduction and all the limitation should be put upon the United States, as is provided in this treaty. The unfairness and injustice of both the 1922 treaty and the proposed 1930 treaty are to be found in the figures of what was done and what is proposed to be done under this treaty.

The President then suggests that the opposition to this treaty comes from those—

Who believe in unrestricted military strength as an objective of the American Nation.

The President is not correct in this. All peace-loving men and women in America desire a real limitation and a real reduction in naval arms; but they do not like this pseudo-limitation, this pseudo-reduction. In other words, they do not like to have their own country do all of the disarming.

Again, the President says:

Our people believe that military strength should be held in conformity with the sole purpose of self-defense.

Of course the people of the United States believe that. The entire purpose of a navy is, first, our country's defense; next, the defense of our outlying possessions; and, third, the defense of our commerce upon the seas, which gives us our prosperity. We make more than we can consume, and we are obliged to find an outlet for our products; and the purpose of an American Navy is to protect these three great interests. It is possible that with our present Navy, or even a Navy under the treaty, we might protect our own shores; but it is certain that under the proposed treaty we can not defend our island possessions or our commerce; and that is why there are some of us who believe that this treaty is not for the best interests of America.

Some may say, "Why, you people believe in giving up the Philippines; so why have a navy to defend them?" Indeed, I do believe in giving up the Philippines, as I have said before this afternoon. I would vote for it any day. I think they ought to be independent; but as long as the United States holds sovereignty over the Philippine Islands it is the duty of the United States to the islands and to the people of the islands to be in a position to defend them against the world.

The President then says:

The only alternative to this treaty is the competitive building of navies with all its flow of suspicion, hate, ill will, and ultimate disaster.

Let me stop here long enough to say that even the competitive building of navies never has caused the likelihood of war that was caused in London itself among the nations that gathered there in this so-called peace conference. It never brought two nations to the verge of war as it did France and Italy in the course of the proceedings at London.

I say the President is wholly mistaken in this statement. The President's statement is, in effect, the counterpart of what Secretary of State Charles Evans Hughes said in the 1922 conference. It will be remembered that he said there:

Oh, we must relieve America from the crushing burden of taxation.

He promised that taxation would be reduced if that treaty were ratified. Was it reduced? I see sitting before me the chairman of the Committee on Appropriations [Mr. Jones]. I am a member of that committee. We both know what that committee does. He will bear witness to the truth of my statement that with the exception of 1926 we have appropriated year by year since 1923—the first year after the 1922 treaty was completed—more and more, more and more of the people's money for naval armaments in this country.

The idea of its reducing taxation is all poppycock. It is not decent nonsense. There is not a word of truth in it. Instead of reducing taxation, it will increase the taxation upon the American people probably fourfold, and instead of appropriating

\$382,000,000, as we have this year, for our Navy we probably will be appropriating over half a billion dollars a year for the next 10 years under the provisions of this treaty.

Why do I say that? Because the very terms of this treaty require the expenditure of a billion dollars of the American people's money, a very large portion of it for building ships that our naval authorities say are not the kind of ships that we should build for our defense. The greater part of a half billion dollars will be expended for the building of ships that Great Britain says we are permitted to build, which our naval experts say we ought not to have; that they are not the kind that are suitable for our use. Yet under this treaty we are required to expend this enormous amount of money—a billion dollars, all told—in building the kind of navy that Great Britain is willing for us to build; not the kind that we, as a self-respecting nation, exercising the ordinary rights of a nation, should build but we are getting the gracious permission of Great Britain and Japan to build the kind of navy that they are willing for us to build!

Why do I say that? Think of the advantage Great Britain gets! She says, "We do not intend to go to war with you." If she never has any such intention as that, and her statesmen say that it is unthinkable that she should go to war with us, if they are correct about that, why should they have these naval bases all around our continent? What is the object of keeping them there? It costs a great deal of money to keep up those naval bases—1 in Halifax, 1 in Bermuda, 2 in the West Indies, 1 on the Pacific coast. She has these naval bases all around the American Continent, and she says, "They are not a menace to you. They are not intended for you. They are intended for somebody else."

That reminds me of something I read many years ago. I was reading Trevelyan's Life and Letters of Lord Macaulay. It is stated that while Macaulay was a student at Oxford, a young man and a very bright man and gifted at repartee, one night he and some friends went over to a town near by where an election was being held. In Great Britain they hold elections day and night. They do not do as we do here, hold them only in the daytime; but they hold them until all the voters have voted, both day and night. They have very great crowds at these elections, and sometimes roughness and violence. On this particular occasion Mr. Macaulay was in a crowd of ruffians, and one of the men in the crowd threw a dead cat and hit Mr. Macaulay on the side of the head; and the big ruffian rushed up to him and said, "O Mr. Macaulay, I did not intend to hit you with that cat. I am awful sorry." Macaulay said, "Well, my friend, that is all right. The next time I hope you will intend to hit me, and hit the other fellow." [Laughter.]

So it seems to me that I would rather have Great Britain have bad intentions about us and not have these naval bases put around our shores to threaten us all the time. Why should Great Britain threaten our shores? Why should she have naval bases where she can put infinite amounts of naval ammunition and naval stores and hold ships to our detriment all the time in the event of any trouble with her? Great Britain never takes any chances. She takes no chances with her friends or with her foes. She is always prepared.

She is prepared not only in war but she is prepared in peace. She is prepared in naval conferences. The greatest victories she has ever won have been in naval conferences, and she never won a greater victory than she did in the last naval conference in London, except one. She sank more ships in the 1922 conference, in tonnage, here in Washington, than she ever did in all the naval battles together in her history. Did Senators ever think of that? By a conference she sank more ships right here in Washington than she ever sank in all the naval battles in her history, from the sinking of the armada on down to Jutland. Yet we are going to allow her to do the same thing again, and some of us Democrats are going to agree to it. I am sorry. It ought not to be done.

Mr. Hughes gave out a beautiful statement about peace and harmony in the world and good will and understanding when he sank that 835,000 tons of ships. By the way, I want to digress here long enough to say this, which I do not think I ever said before on the Senate floor: Mr. Hughes is a very nice gentleman, one of the nicest gentlemen I know, a perfect gentleman, and I expect he is rather an admirable lawyer, but one of the reasons why I voted against his confirmation when his nomination came before the Senate for the Supreme Court some time ago, and when some of my loyal friends wondered why I did it, was that he voluntarily offered to secure the sinking of this enormous battleship fleet in the Washington conference in 1922.

I call attention to a further fact in this connection, that that naval agreement of 1922 which the Secretary of State seems to lay such great store by specifically prescribes by contract

the date on which the 1922 agreement should be revised. I quote from Article XXI of that treaty:

In view of the possible technical and scientific developments, the United States, after consultation with other contracting powers, shall arrange for a conference of all the contracting powers, which shall convene as soon as possible after the expiration of eight years from the going into force of the present treaty, to consider what changes, if any, in the treaty may be necessary to meet such development.

Mr. President, there is a contract by which we are bound to meet next year, in 1931, to correct any inequalities, injustices, or other errors in that treaty. Did Great Britain allow us to wait for that? Oh, no. She heard that we were building 10,000-ton 8-inch-gun cruisers, and as early as 1926, and I believe 1925, the ink was hardly dry on the 1922 treaty when she began to make arrangements, to invite negotiations, to change that treaty. In 1927 she secured a conference at Geneva, and there the same question was up that is up in connection with this treaty. At Geneva our experts said that America was entitled to twenty-three 10,000-ton, 8-inch-gun cruisers, and Great Britain did not want us to have that many. She was willing for us to have 18, as I remember, and because we would not agree and come down to 18, and then build such ships as she wanted, that conference failed.

One of our representatives at that conference, Mr. Gibson, telegraphed President Coolidge to know whether they should give in or not. The President answered, "No," I am informed, and the conference failed.

Was anybody hurt by that conference failing? Were the rights of the United States hurt in the slightest? That has been three years ago. Has anybody been hurt? Has the Nation been hurt? Have the people been hurt? Have they been hurt in such a way that there must be a ratification of this treaty right offhand, during the hottest of weather, after the Senate has been in session for 15 months? Must the treaty be rammed and jammed down the throats of Senators who are opposed to it without a proper opportunity for the country to know what it is, with the President refusing to tell the Senate what is in it?

Not satisfied with that, my genial friend sitting over there, the leader of the majority, the Senator from Indiana [Mr. WATSON], whom I esteem so highly and admire so much, wants to put cloture on us. He is circulating a petition to put cloture on the Senate. He not only wants to stop argument, he not only wants to prevent the facts which the President knows from being disclosed to the Senate, but he wants to stop all talk in the Senate and to put cloture on it.

I want to say that if this treaty has to be ratified—and I fear it is to be—you could not find a better vehicle for ratifying it, an infamous document like this, than through cloture, through the gag law.

Oh, how appropriate that this treaty, conceived in secrecy, worked up by propaganda, the President of the United States refusing to give the facts—how appropriate it is that it should be ratified under a cloture rule!

I congratulate my friends on the other side that they have taken such an appropriate method of ratifying such an abominable treaty as this. The two go hand in hand.

It is the only time, as I recall, that cloture has ever really been resorted to. It has been a long time ago, and I do not recall the exact facts, but I believe that we got an agreement finally to vote on the Versailles treaty and did not use cloture. But here you are going to use cloture, you are going to use the gag law, to ratify a treaty conceived by other nations and not by America, wrought out in secrecy, wholly unwilling for the light of day to be shed upon it. Yet you talk about the rights of the Senate to anything. I hope no Senator will ever stand up and talk about the rights of the Senate after this surrender of our fundamental right, after you disregarded the Constitution, after you disregarded what is best for the interests of our common country.

The VICE PRESIDENT. The treaty is as in Committee of the Whole, and the first article is open to amendment.

Mr. McKELLAR. Mr. President, I was told by some one who passed my desk a moment ago that there would be an adjournment or a recess. Otherwise I would not have surrendered the floor. I am still on my feet, and there is much that I want to say.

The VICE PRESIDENT. If there be no amendment to Article I, Article II—

Mr. McKELLAR. Oh, no, Mr. President.

Mr. REED. Mr. President, I gave notice to my fellow Senators that I was going to ask that the Senate remain in session right through the dinner hour and into the evening. I find that so many Senators resent the giving of that notice with such a short time to prepare that it is impracticable to carry out that program to-night.

I give notice now that unless an agreement is reached for a time to vote I shall ask that the Senate continue in session to-morrow evening, and shall meet each morning thereafter at 10 o'clock and sit every evening thereafter.

I ask the Senator from Indiana [Mr. WATSON] whether he will cooperate in helping to carry out that program?

Mr. WATSON. I certainly shall, to the limit.

RECESS

Mr. REED. Mr. President, I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 55 minutes p. m.) took a recess until to-morrow, Friday, July 18, 1930, at 11 o'clock a. m.

SENATE

FRIDAY, July 18, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Gould	McMaster	Shipstead
Blodgett	Greene	McNary	Shortridge
Black	Hale	Metcalf	Smoot
Blaine	Harris	Moses	Stetson
Borah	Harrison	Norris	Stephens
Capper	Hastings	Oddie	Sullivan
Caraway	Hatfield	Overman	Swanson
Copeland	Hebert	Patterson	Thomas, Idaho
Couzens	Johnson	Phipps	Thomas, Okla.
Dale	Jones	Pine	Townsend
Deussen	Keen	Reed	Trammell
Fess	Kendrick	Robinson, Ark.	Vandenberg
George	Keyes	Robinson, Ind.	Walcott
Gillett	La Follette	Robison, Ky.	Walsh, Mass.
Glen	McCulloch	Schall	Walsh, Mont.
Goldsborough	McKellar	Sheppard	Watson

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORRIS] is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASE] are detained from the Senate by illness in their families.

I also announce that the Senator from Arizona [Mr. ASHURST], the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. CONNALLY], and the Senator from Kentucky [Mr. BARKLEY] are absent on official business, attending sessions of the Interparliamentary Union in London.

Mr. SWANSON. My colleague the junior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. FESS. I desire to announce that the junior Senator from North Dakota [Mr. NYE] is detained on business of the Senate, attending sessions of the special committee to investigate campaign expenditures. I will let this announcement stand for the day.

Mr. NORRIS. I desire to announce that my colleague the junior Senator from Nebraska [Mr. HOWELL] is absent from the Senate on account of illness in his family.

The VICE PRESIDENT. Sixty-four Senators have answered to their names. A quorum is present.

RADIO ADDRESS BY SENATOR JONES ON GOVERNMENT APPROPRIATIONS

Mr. ODDIE. Mr. President, I ask that there be printed in the RECORD the very able address made over the radio last night by the senior Senator from Washington [Mr. JONES] on Government appropriations.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I have been asked to talk about governmental appropriations. This is a hard subject to make interesting. It is a fine subject, however, to discuss over the radio. One who wants to be entertained need not listen and one who wants to know of his Government's expenditures

can do so, while the speaker can proceed on the assumption that he has a vast and attentive audience.

The growth, development, and wealth of the country can be shown in various ways. As I think about it—as I study it—the more I am convinced that the best way to do this is to point out its increase in expenditures.

What more striking evidence of the greatness and wealth of the Nation than the fact that its expenditures for all its activities 50 years ago were \$300,000,000, while for the fiscal year 1931 its expenditures will be over \$4,800,000,000. Think about it; reflect over it; the more you do, the more wonderful it becomes. Is this great increase the result of extravagance or the result of necessity? The people who produce the money are entitled to know. We may spend more than we ought to spend, but I assert that what may be extravagant, what may not be a necessary expenditure, is a very small part of the total.

There is a normal governmental expenditure and there is an abnormal expenditure. The increase in our expenditures has been normal throughout the years except where abnormal conditions prevailed. We often hear charges of extravagance. They are largely made under the impulse of partisanship for political advantage and to bias our people for or against some particular proposition or party.

When examined honestly and without bias, we are forced to the conclusion that our expenditures are honestly and economically made to meet the actual and legitimate needs of the Government. Instead of indicating extravagance, they show the expanding activities and unexampled growth of a wonderful country.

In 1873 our expenditures were, in round figures, \$300,000,000. With a steady increase in population there was a gradual expansion of governmental activities to meet the needs of our people and a steady increase in the aggregate cost of these activities. This steady, unnoticed increase continued until 1893 and 1894, when we were thrilled by the statement that we had a billion-dollar Congress. That meant more to our people than the statement that our expenditures had reached the sum of \$500,000,000 a year, which was the plain and simple fact.

The expenditures of the Government under normal conditions have not increased in proportion to the population, and this is a fact that refutes many of the radical statements made. In 1880 the expenditures of the Government were, in round figures, \$338,000,000; in 1885, \$306,000,000; and in 1890, \$395,000,000. Between these dates the expenditures varied slightly.

When we became a billion-dollar Congress this was an increase of nearly \$200,000,000 over the preceding Congress. What was the cause of it? Not extravagance, but increased pensions and post-office facilities accounted for nearly all of it. Everybody was for these increases. They were just and necessary.

In 1899 we appropriated \$892,000,000 in one year, or almost as much as in the two preceding years. Why? Because of the Spanish War. From 1899 to 1908 our expenditures had increased only about \$27,000,000. In 1908 we appropriated a little over \$919,000,000. In 1909 our annual appropriation exceeded \$1,000,000,000 and proceeded at a normal rate to 1916, when it had reached \$1,114,000,000. Instead of being a billion-dollar Congress we had become a two-billion-dollar Congress.

As the outgrowth of the Spanish and World Wars the appropriations for our Army and Navy have greatly increased. In 1890 the appropriation for the Army was \$36,500,000, while for the fiscal year of 1931 we appropriated over \$351,000,000. In 1890 the appropriation for the Navy was \$21,000,000, and for 1930 it is over \$380,000,000. In 1885 the appropriations for all the activities of the Government amounted to \$306,000,000. We have appropriated for the fiscal year for the Army alone more than this sum, and also more than this sum for the Navy.

While our Army and Navy appropriations have greatly increased by reason of the war and its necessary results, our activities along civil lines have also greatly increased and made larger appropriations necessary and wise. Nowhere is this more marked than in connection with our post-office developments. This, of course, has kept pace with our industrial growth and development.

In 1890 there was appropriated for the Post Office Service \$66,000,000. For the fiscal year 1931 we have appropriated over \$836,000,000. This is largely repaid from the service itself, although for the last few years the deficit has been rather large. Many post-office activities were originally started as experiments, and have developed so as to become almost universal necessities. While post-office expenses have enormously increased by a general expansion of the business, new lines of service have from time to time been established which have greatly expanded, and we would not give them up to save expenses.

Our Rural Delivery Service was started about 30 years ago with two experimental services in different sections of the country at a cost of a few thousand dollars. We appropriate now annually to carry it on \$107,000,000, and no one would do away with it. It is a daily necessity.

Our City Delivery Service has kept pace with the growth of our cities, and we gladly pay out annually over \$130,000,000 to bring mail to the doorstep of the housekeeper or to the business man's office from one to two or three times a day. We would be lost without it.

The transportation of our mail by rail costs over \$130,000,000 annually. No one dreams of doing away with it, unless it be by a swifter system. Judging the future by the past, we need not be surprised at any development that may take place with the air mail among a people so active and energetic as we are. These are just two or three illustrations of the great expansion of the post-office facilities, accounting for the greatly increased cost of the post-office service.

A few years ago we had much controversy among our people about highway improvements. The impulse for such improvements became so strong it could not be resisted, and the National Government was brought into it. A Federal highway system was started. The sentiment for its expansion became overwhelming. In 1917 we appropriated out of the National Treasury for road construction \$75,000,000. For 1931 we have appropriated over \$106,000,000, and to date \$913,000,000 has been appropriated for this work, and in my judgment no single item of appropriation is of more importance to the people as a whole than these appropriations for good roads.

Our people have always dealt liberally with its national defenders. It may be interesting to learn that we have actually appropriated for our soldiers of the Mexican, Civil, and Spanish Wars over \$8,280,000,000.

For the veterans of the World War we appropriated over \$389,000,000 for the year 1922 and for 1931 over \$500,000,000. The total amount appropriated for these veterans from 1922 to 1931, inclusive, is over \$4,700,000,000. This has been done gratefully and cheerfully, and there is no better way to put money raised by taxation among the people of the country.

There is a great need for public buildings throughout the country. The Government should have these buildings for the transaction of its business, and the people are glad to have them as fine architectural examples. For many years comparatively few public buildings were constructed. A regular system was established a few years ago, under which it is contemplated a public building will ultimately be constructed in practically every city in the country with a population of 7,500 and upward, including monumental buildings in large cities and in the District of Columbia. During the last five years, including 1931, we have appropriated for this purpose over \$182,500,000.

The cost of running the Post Office Department for 1890 was \$66,000,000, while for 1931 it was over \$800,000,000. For the Agricultural Department in 1890 we appropriated \$1,000,000 (note this small sum), while for the fiscal year of 1931 we appropriated over \$155,000,000. It should be said, however, that included in the \$155,000,000 is the sum of about \$106,000,000 for highways.

There are strange cycles in annual appropriations for the expenses of the Government since 1873. In 1873 our appropriations were \$330,000,000. In 1890 they were \$395,000,000, and they exceeded \$400,000,000 only twice during the period of 19 years. In 1892 they were \$524,000,000, and in 1898, \$528,000,000, being less than \$500,000,000 twice during that period. In 1893 and 1894 we had the noted billion-dollar Congress, and in 1895 and 1896 we had less than a billion-dollar Congress; but every Congress since has appropriated a billion dollars or more. From 1899 to 1908 our appropriations increased from \$892,000,000 to \$919,000,000, with slight variations from year to year. In 1909 they were a trifle over \$1,000,000,000 with an increase to \$1,114,000,000 in 1916, with slight variations between. Can anyone see any signs of extravagance in these increases? I think they were nothing more than what one could expect in our growing country.

In 1917 war preparations began and we appropriated over \$1,628,000,000. We then entered the war in earnest. We made the largest annual appropriations in the world's history. In 1918 we appropriated over \$1,800,000,000 and in 1919 over \$2,700,000,000, or over \$45,000,000,000 in two years. The highest amount in any one year since was \$7,000,000,000 and the lowest amount appropriated in any one year since was \$3,700,000,000 in 1925. Since then we have appropriated annually over \$4,000,000,000, until for 1931 a little over \$4,800,000,000. This is a large sum of money. Is it extravagance? Does it indicate waste? Not when analyzed. At least 70 per cent of this sum is deemed necessary to meet the needs for defense and care for the results of war. A little over \$200,000,000 of it is the result of emergency legislation, leaving about a billion, two hundred million properly chargeable to the ordinary expenses of a surpassingly great Nation, with new and expanding activities. These vast appropriations furnish a political war cry in a campaign year, but they in fact measure the activities of a great Government in behalf of the welfare of a progressive people with conveniences of life unequalled by any people in the world's history. It is significant that no one who complains of our large appropriations ever points out any specific items that should be omitted.

It is charged by those of high position and honorable character that there is great extravagance in our appropriations. They have had much to do with making them and should know and be able to specify the items on which such a charge is made. Only one specific item is given. It is said that the cost of running the President's office has increased by \$91,480 over the preceding year of the last administration. This is true. No head of any government in the world has such problems to meet and such duties to perform as the President of the United States. They are increasing and becoming more difficult and complex from year

to year. Increased help should have been provided before. The President's office is run at less cost than the corresponding office of almost any other civilized nation.

I am reliably informed that the President of our little neighbor Republic, Cuba, is more luxuriously housed and that the cost to carry on the office is greater than the housing of our President and the Executive Office. I am also assured that this is true of the executive head of our neighbor to the north of 10,000,000 people. Our President is economical. He is honest. I am sure he has no greater force than is necessary in the proper conduct of his great office, and the people of this Nation do not begrudge him all he needs for the proper discharge of this work. Carping criticism as to this working force will not meet with the favor of our people.

It is said that millions of income taxes paid have been refunded, and it is intimated, but not directly charged, that such refunds are fraudulently or improperly made. No one, of course, could approve this if true. What is the situation? The determination of the amount of income that should be paid is in many cases difficult and a complex problem. Government officials in the first instance fix the amount on a hasty and imperfect examination, and are certain to make it high enough to cover all contingencies. The amount fixed is paid under protest, with the assurance that a careful examination will be made and any amount over a just and legal tax will be refunded. Surely no charge of negligence can be made against our officials by the public for taking such a course. A careful study is made. Doubts are resolved in favor of the Government, and refunds are made only when it appears clear that such a refund is just and legal. In all such cases the Government has the use of the money so unjustly taken without interest. Surely no one can justify the refusal of the Government to return money illegally taken, no matter how large or small the sum nor how large or small the interest entitled to it.

The greatest financial transaction in the world's history has been carried on by this Nation with unexampled success. At the close of the World War our public debt was \$26,600,000,000; the annual interest on this sum was practically a billion dollars. In a little over 10 years we have paid off over ten billions of the principal and the annual interest charge has been reduced to about \$400,000,000. During the last fiscal year we paid on the principal of the debt \$746,000,000. What does this mean, if it needs to be further emphasized? It means that in a little over 10 years we have paid off two or three times the amount of the national debt at the close of the Civil War, which was not fully discharged when we entered the World War. While paying off our national debt at an average of over \$800,000,000 a year, we reduced taxes several times and relieved thousands of our people of all direct taxes to the National Government, and at the same time put the Government into new lines of activity for the benefit of the people. No doubt mistakes have been made; but when, and by whom, in the world's history has such a record of business efficiency and honesty been made?

Thank you and good night.

SPEECH BY SENATOR METCALF ON THE PENDING NAVAL TREATY

Mr. REED. Mr. President, I ask unanimous consent that there may be printed in the *RECORD* a speech delivered by our colleague the senior Senator from Rhode Island [Mr. METCALF] recently on the naval treaty.

There being no objection, the speech was ordered to be printed in the *RECORD*.

Senator METCALF spoke as follows:

It seems to me that the most unfortunate thing about important diplomatic negotiations is that we are likely to look upon them as something of an international detective mystery. In the discussion of this naval treaty we are viewing its various ramifications in the light of war, when in reality we should base our deliberations upon the assumption of peace. We all know that there is little likelihood that this generation will see another war, and for us to court it by giving expression to international distrust and criticism is, to my mind, a dangerous method for the consideration of a treaty.

When the cruiser bill was being discussed on the floor of the Senate I expressed my attitude toward the Navy in the following words: "We do not want a navy that will strike fear into the hearts of the people of other nations. We do not want to assume the rôle of bully upon the sea, but we should have, and must have, for our own well-being, a navy approaching the strength of other nations of the world."

I have at no time retreated from or changed this attitude. I have always believed that a navy large enough to adequately guarantee American security was one of the prime responsibilities of government, but that the Government is further responsible to do all in its power to cooperate with other governments in reducing the size of an "adequate navy." I believe that the money which is used to pay for excessive armament could be spent in other places better to promote the general welfare. With that in mind I was most heartily in accord with the purposes of the conference held in London this year for limiting as much as possible the navies of the leading powers. Upon the proposition of the success or failure to achieve these purposes must

rest the decision as to the desirability of this naval treaty. I believe the objectives have been accomplished and that it would be a great mistake for us not to ratify as quickly as possible the treaty which has been worked out by the delegations at London.

The purposes for the conference, to my mind, were three:

First, to put an end to the ever-recurring possibility of a competitive race in naval armament.

Second, to reduce as far as compatible with our own security the burden of naval armament.

Third, to arrive at some kind of a basis upon which the nations of the world could think in common terms in regard to a general reduction in the cost of arms.

I believe that the ratification of this treaty on the part of all the signatories will put an end to competitive building as well as to the possibility of further competitive building. This will not only permit the Navy itself to be operated upon a systematic basis but will allow our construction, our training, and our replacement to take place in accord with a practical and standardized program which will incorporate the maximum in economy, thoroughness, and efficiency. In 1921 we saw the peak of our strength on the high seas, and at no time in the history of our country had we heard so much about the threats and probabilities of war when there was so little danger of war. The existence of a large and superior Navy made the defense of such a navy necessary upon the grounds of a possible war. Naturally, the international calm and confidence were disturbed by these undercurrents of defense put forth largely by the advocates of a large navy. The existence of a spirit of competitive armaments gives rise to unfounded suspicions and creates disturbance and unrest, which is not conducive to the peace of the world. Any agreement as to naval programs which will end the possibility of competitive armament is, to my mind, desirable, and when we can have such an agreement and still preserve our national security we should grasp the opportunity to enter into it. I believe that the reductions in the cost of the Navy which should result from the application of this treaty will be a welcome relief to the American taxpayer. More than three-fourths of our National Budget goes for the costs of war, and much of this money which we would spend for the maintenance of excessive armament could be applied to peace-time progress.

I do not believe that the accomplishments of this treaty will mean the end of international agreements which will tend to bring about world peace. I believe that it is the beginning of a great international movement to eliminate much of the possibilities of war. In that alone this treaty is justifiable, for we all know that if we reject it upon the ground that it will not give us a Navy which will breed suspicion among other nations of the world we can not hope in the near future to make progress toward further eliminating the cost of national defense. If we fail in one of our most outstanding efforts to promote peace, it must follow that further efforts in behalf of peace will be impossible. We, therefore, can not afford to reject this treaty, and it would be ill-advised on our part to delay its ratification. It is true that we are the richest nation on earth to-day and that we can best afford a large Navy, but it is also true that a man does not always buy a thing because he can afford it. It seems to be more in keeping with the native wisdom of Americans for us to seek a way to place our national expenditures where they will be most conducive to the national welfare. I believe, then, that this treaty accomplishes all the objectives of the London conference and that in some degrees it accomplishes a still further purpose—that it sets itself up as a primary step toward the preservation of peace.

Much has been said about this treaty endangering our national security. I very much fear that many of the critics of this treaty are suffering from a security complex. We are now at peace with the rest of the world and it is wrong for us to view peace as a negative state which exists in the mere absence of war. War, rather, is the unusual, and it is unthinkable for us to take into consideration a war with any of the leading powers of the world. We should not consider any nation of the world as a potential enemy, but, rather, consider them as existent friends. Of course, we want a Navy that will be a guaranty of security, and so long as peace exists in the world and the possibility of war is distant we shall remain in a state of security so long as reasonable parity exists. And I think there is no question about there being near parity incorporated in this treaty. Is it not reasonable that for the best interests of the Nation and for the world that peace should always come first in the thought of the human mind? We should always put peace before war; therefore why not put peace before excess armament and at the same time safeguard our security by a Navy in reasonable parity with those of other nations?

For all time the Government and the people have had to contend with the peculiar attitude on the part of the naval organization. This is not to be construed in any way as a condemnation of this attitude. I fully realize that men who devote their lives to a career think solely in terms of that part of human endeavor which they represent. Our naval officials represent the Navy. They are the Navy, and in the responsibility they must bear they want the finest and largest equipment which it is possible for them to secure. We can not blame them for that, but

we do want to bring the Navy to a point where, while guaranteeing national security, it will at the same time incorporate the principles of national economy and international good will.

Upon the early ratification or rejection of this treaty will depend whether or not the world movement toward perpetual peace shall continue to make the great progress which has characterized it since the World War, or whether this movement in the interest of humankind shall receive a severe setback at the hands of the United States Senate.

In considering this treaty we must not only take into our minds the technical details in connection with it, but we must also consider that the conference which drew up this treaty was an assembly of the national philosophy and common thought of a large number of diplomats representing the leading powers of the world. We can not set ourselves up as the judges of any single thought which would express the common philosophy of all these nations, but we can assume with complete confidence that they all have desired the same end and that they all viewed this treaty from the same viewpoint.

The big-navy people of the other signatories of this treaty are condemning it, and those who desire to see the movement toward world peace promulgated by an international agreement of this kind are exerting equal influence for an early ratification. The injection of the tenets of suspicion and distrust into the debates on this treaty are untenable with what we might call the international ideal. Let us take it for granted that all of the powers are seeking the single objective of a world peace, safeguarded by adequate national armaments which do not reflect an attempt to bully or frighten those nations which by some unforeseen circumstances might some day be in military opposition to them. We must consider world peace soberly and sensibly, and as this treaty is merely a part of international program of peace let us use it with all the conservative and thoughtful statesmanship that this Chamber can bring into being. We can only achieve world peace by maintaining a mental bigness, tolerance, and confidence which will expedite the attainment of a universal idea incorporating the world objective for peace and a single world philosophy to maintain it. To my mind this treaty is a part of such a world philosophy, and it is our duty to accept it in the good faith in which it has been offered, not only by the other nations of the world, but by those who represented the United States in London.

In 1925, in his address before the graduating class of the Naval Academy, President Coolidge said:

"It seems to me perfectly proper for anyone upon any suitable occasion to advocate the maintenance of a navy in keeping with the greatness and the dignity of our country. But as one who is responsible not only for our national defense, but likewise our friendly relations with other peoples and our title to the good opinion of the world, I feel that the occasion will very seldom arise, and I know it does not now exist, when those connected with our Navy are justified, either directly or by inference, in asserting that other specified powers are arming against us, and by arousing national suspicion and hatred attempting to cause us to arm against them."

I therefore believe that it is for the best interests of the Navy of the United States, the people of the United States, and the people of the world that this treaty be quickly ratified so that the burden of national armaments may be in some degree reduced and our national security assured in the light of peace.

WITHDRAWAL OF PAPERS—MICHAEL KANYUCH

As in legislative session, on motion of Mr. DENEEN, it was

Ordered, That the papers accompanying the bill (S. 2697) granting a pension to Michael Kanyuch, Seventy-first Congress, second session, be withdrawn from the files, no adverse report having been made thereon.

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

The VICE PRESIDENT laid before the Senate a resolution of the Southwest Missouri Conference of the Epworth League favoring the prompt ratification of the London naval treaty, which was ordered to lie on the table.

He also laid before the Senate a resolution of the Synod of the Reformed Presbyterian Church of North America in session at Winona Lake, Ind., expressing "our regret that the London conference did not proceed on the basis of the Paris peace pact, but urging the immediate ratification of the treaty as at least a restriction on armaments," etc., which was ordered to lie on the table.

He also laid before the Senate a telegram from Ralph H. Ramsey, of Springfield, Mo., relative to the London naval treaty and also the oil situation, which was ordered to lie on the table.

He also laid before the Senate resolutions of the Wolfe Tone Club, of Chicago, Ill., protesting against the ratification of the London naval treaty, which were ordered to lie on the table.

Mr. MOSES. Mr. President, before beginning the formal remarks which I wish to make to the Senate, I think I should

express my appreciation to those of my associates by whose favor I am permitted to be here to-day outside of the shadow of the garrote which is so soon to be put upon us. One might think from reading the *Record* this morning that the Republican leader deems my absence from the Senate to have been illegitimate. I deemed it to be imperative. I may add that I was absent from Washington just 62 hours, 55 of which I spent in traveling.

The pitiful thing about this treaty is that so few people know anything about it and that so many people care nothing about it.

Each of these conditions arises from the manner in which the instrument itself has been drawn. If the work of its draftsmen had been planned purposely to obscure its real meaning, it could hardly have been done better.

So many of its articles are couched in technical language which can be understood only by a naval expert that it is difficult for the lay mind to understand exactly what it all means. Its major provisions, however, are readily to be discerned, and in them my eye at least perceives certain defects to which I wish now to draw the attention of the Senate.

This treaty, Mr. President, comes to us either too early or too late. I incline to the belief that both of these criticisms may lie against it.

If the merits of the instrument are so obscure or so imperfect that they can not demonstrate themselves in the short time between now and autumn, it is probable that the treaty contains so many defects that it ought not to be ratified at all. In other words, if this treaty must decay instead of ripen beneath the suns of summer it certainly contains germs of destruction which we should try to avoid.

As pointed out in the message of the President urging prompt ratification of the instrument, the negotiations precedent to its drafting began a year ago. The probability is that they really began earlier than that. At any rate, we do know that one of the first essays put forth by our present ambassador in London was with reference to the negotiation of this instrument. We do know that it is well-nigh a year since the charming and seductive Prime Minister of England visited us, and in this very Chamber bade us to take parity "without reserve, heaped up and flowing over." We do know that it is fully nine months since the work was begun of preparing the agenda for the London conference. We do know that the plenipotentiaries—aided by a vast number of naval experts who were rarely called upon to render their opinion and by a corps of supernumeraries such as always attend an international conference—spent 14 weeks in preparing the instrument which we are asked to ratify out of hand.

We know, further, that, except for a few fragmentary and unimportant portions of the incunabula which were heaped up as the plenipotentiaries labored, we have been denied our constitutional right of access to the papers which mark the steps by which the treaty was finally put upon paper.

Under these circumstances, Mr. President, I continue to maintain that we are asked to deal with this treaty untimely. It should reach us at a time after the negotiating power has shown a willingness to share the constitutional prerogative which has been set up for treaty making. It should reach us after a time when the Members of the Senate have had full opportunity to explore, to discuss, and to determine the propriety of the antecedent and attendant circumstances which surrounded the work of the conference. It should reach us after a time when Senators, refreshed by a brief vacation, could give alert and attentive study to the document in all of its implications.

Instead of this we are handed the document with sparse and inconclusive statements of its purpose and are told somewhat superciliously by the Laird of Stanmore that we must take it or leave it in its nakedness.

To this doctrine, Mr. President, acting as one of the agents of the Senate in its Committee on Foreign Relations I have already dissented. I continue to dissent on the floor. I have recorded my opinion of the indecent haste with which this instrument is being forced upon us; and I have not diluted that opinion.

We could have had a treaty like this three years ago. The conference at Geneva met under exactly the same conditions which surrounded the assembling of the conference at London—save this: The American delegates at Geneva were less pliable than those at London. The conditions which the British delegates put forth at Geneva as prerequisite to the making of a treaty differed in no essential feature—if indeed they differ at all in actual form of words—from the proposals put forward by the British delegates at London, so far as we are able to know them. I should add here, of course, Mr. President, that I can not speak with textual authority on this point because we have been denied the papers which would reveal to us in official terms exactly what the British proposed. But it is safe to say from all the collateral evidence which we have been able to

glean that the British carried their point—otherwise there would have been no treaty.

Nor do we know from any official document which has been sent to us what proposals were set forth by our delegates. From the results we are free to assume that they announced in advance that they would accept whatever our British consins chose to hand out to us. At any rate, that is what has been brought back from London, namely, a sacrifice of the principle of the 8-inch-gun cruiser for our Navy, a principle which we maintained at Geneva, which was denied to us at Geneva, and which constituted the point upon which the Geneva conference finally failed.

Continuing to speak of the Geneva conference and of my assertion that we might have had this treaty three years ago, it is necessary only to refer to the official records of that conference, which happily exist in the form of a Senate document of the Seventieth Congress, and to quote from the speeches delivered in the plenary sessions at Geneva by Ambassador Hugh Gibson, one of the best trained of our diplomats, who, with Admiral Hilary Jones, admittedly the foremost of American naval experts, shared responsibility for presenting the American position.

Mr. Gibson was chosen to be chairman of the Geneva conference, and in his opening address he set forth plainly the desire of the United States to join in a limitation of naval armaments, adding that our policy in this respect is guided solely by the desire for adequate defense. He therefore proposed an allocation of total tonnage limitation for Great Britain, the United States, and Japan as determined for capital ships at the Washington conference, namely, the ratio of 5-5-3, which we had bought at Washington at such great expense.

At the second plenary conference at Geneva, held on July 14, 1927, Mr. Bridgeman, a member of Parliament, the First Lord of the Admiralty, and the head of the British delegation, set up the British opinion that—

Total tonnage is like a pie . . . but it all depends on what is inside it. . . . In smaller cruisers we have not disputed the claim of the United States of America to an equal number to ours or of Japan to such a number as are necessary for her defense; but we desire to limit their size and their armament of 6-inch guns so that they may be defensive and not offensive weapons.

And Earl Jellicoe, admiral of the fleet, at the same plenary session of the conference at Geneva, asserted that—

Each nation must judge for her own safety; and . . . the British Empire, with its far-flung dominions . . . occupies a totally different position in this respect from any other nation in the world.

To all this Ambassador Gibson replied:

We believe, therefore, that we can safely leave each country free, within carefully restricted tonnage limitation, upon which I trust we can agree, to build in each class as it may see fit.

To this the British delegates were unwilling to agree; and at the third and concluding plenary session of the conference at Geneva Ambassador Gibson, in speaking the closing words of the conference, said:

From the first, however, we encountered a serious difficulty in the claim of the British Government that it needed a considerably larger number of cruisers than it now possesses. . . . We have not yet been able to understand why, in time of profound peace and at the moment that we are seeking to reduce the burdens of naval expenditure, the British Government considers a considerable program of naval expansion as an absolute and even a vital necessity. In an effort to meet the views of the British Empire delegation we have indicated our willingness to make very substantial modifications in our original proposals respecting cruisers . . . Unfortunately, these efforts to meet the British position . . . were not considered sufficient. Any further concessions on our part would have involved a complete surrender of the right to build ships responsive to our needs . . . with a large number of naval bases scattered along its lines of communication, we can quite well understand the desire of the British Empire for a certain number of cruisers of the smaller type. At the same time we feel that it should be recognized that our geographical position and our lack of bases, resulting in part from the restrictions of the Washington treaty, require a larger type of cruiser affording a longer cruising radius.

I am unable to quote the instructions from his government upon which Ambassador Gibson based his declaration. This inability arises from no indolence of research on my part. It comes about by reason of the fact that the Secretary of State, in response to a request unanimously made by the Senate Committee on Foreign Relations, has declined to send to the committee only those matters in connection with the Geneva conference which have already been made public through the

medium of cold type, and even this he has suggested should be held under the seal of confidence. But I am not barred from pointing out the import of the instructions under which our delegates at Geneva must have operated. In a speech delivered on Armistice Day, 1927, by the then President of the United States, Calvin Coolidge said:

We do not need a large land force. The present size of our Regular Army is entirely adequate, but it should continue to be supplemented by a National Guard and reserves, and especially with the equipment and organization in our industries for furnishing supplies. When we turn to the sea the situation is different. We have not only a long coast line, distant outlying possessions, a foreign commerce unsurpassed in importance, and foreign investments unsurpassed in amount, the number of our people and the value of our treasure to be protected, but we are also bound by international treaty to defend the Panama Canal. Having few fueling stations, we require ships of large tonnage, and having scarcely any merchant vessels capable of mounting 5 or 6 inch guns, it is obvious that, based on needs, we are entitled to a larger number of warships than a nation having these advantages.

Important, however, as we have believed adequate national defense to be for preserving order and peace in the world, we have not considered it to be the only element. We have most urgently and to some degree successfully advocated the principle of the limitation of armaments. We think this should apply both to land and sea forces, but as the limitation of armies is very largely a European question we have wished the countries most interested to take the lead in deciding this among themselves. For the purpose of naval limitation we called the Washington conference and secured an agreement as to capital ships and airplane carriers, and also as to the maximum unit tonnage and maximum caliber of guns of cruisers. But the number of cruisers, lesser craft, and submarines have no limit.

It no doubt has some significance that foreign governments made agreements limiting that class of combat vessels in which we were superior, but refused limitation in the class in which they were superior. We made altogether the heaviest sacrifice in scrapping work which was already in existence. That should forever remain not only a satisfaction to ourselves but a demonstration to others of our good faith in advocating the principle of limitations. At that time we had 23 cruisers and 10 more nearly completed. One of these has since been lost, and 22 are nearly obsolete. To replace these, we have started building 8. The British have since begun and completed 7, are building 8, and have 5 more authorized. When their present legislation is carried out they would have 68 cruisers. When ours is carried out, we would have 40. It is obvious that, eliminating all competition, world standards of defense require us to have more cruisers.

This was the situation when I requested another conference, which the British and Japanese attended, but to which Italy and France did not come. The United States there proposed a limitation of cruiser tonnage of 250,000 to 300,000 tons. As near as we could figure out their proposal, the British asked for from 425,000 to 600,000 tons. As it appeared to us that to agree to so large a tonnage constituted not a limitation, but an extension of war fleets, no agreement was made.

We are told, Mr. President, that the treaty before us is the only treaty obtainable at London. Evidently it was also the only treaty obtainable at Geneva; but at Geneva Calvin Coolidge refused to accept such a treaty.

By way of further apology for the instrument we are told that certain of the British dominions, notably those which lie nearest to the Japanese Empire, refused their sanction to a treaty in terms other than that which we now have before us. Since when, Mr. President, has the United States been accustomed to limit its treaty forms by conditions set up by subsidiary portions of another country, or even by conditions set up by any other country as a whole? Evidently we must fix this date as that of the period of the conference of London.

It is sufficient answer to all this to retort that it was not necessary for the United States to have any treaty. We were going along well enough after the failure of the Geneva conference. We had authorized our new cruisers and were proceeding to build them. We were predicating our naval program upon our naval needs as we envisaged them and not as they were laid down for us by other powers. And it is significant to note, Mr. President, that following the breakdown of the Geneva conference there was no feverish anxiety in Great Britain for further naval disarmament until the American Congress by an overwhelming vote provided for 15 new cruisers. Until then the British Government and the British naval advisers were most indifferent. But after that the indifferent British became very different; and while it is true that a Labor government succeeded a Conservative government, I can not count that as the moving cause for the British action in summoning the conference at London.

And moreover, Mr. President, there was no crying need at all for the assembling of this conference this year. Under the terms of the treaty of Washington—which so far as we are

concerned is the supreme law of the land—provision was definitely made for the convening of a disarmament conference in 1931. This is a contract among the signatories of the treaty of Washington. It has not been repudiated; it is still in existence; and the chief declaration of all the delegates at the Geneva conference contained these significant words:

Further, the delegates agree to recommend to their respective governments the desirability of arranging between the signatories of the Washington treaty that the conference to be called pursuant to paragraph 2 of article 21 of that treaty should be held earlier than August, 1931, the date contemplated under the terms of that instrument.

There are 94 Senators, Mr. President, who find themselves under great disadvantage in discussing this treaty—because they have been denied the information which is rightfully theirs and upon which their discussion and action should be predicated. It is true, sir, that some of the papers connected with the negotiation of this treaty have been sent to us. But they were sent under the seal of secrecy which renders them useless in a discussion such as is now taking place. Accordingly, those of us who are skeptical regarding the highly advertised merits of this document have been compelled to resort to individual research in order to fortify our views. Not infrequently this research has failed to disclose all that we have sought to know; and often we have been compelled to rely upon deduction to aid us.

My deduction is that each of the powers signatory to this treaty presented its own proposal for the limits to be set upon naval armaments. My further deduction is that two of these signatories—Great Britain and Japan—varied their proposals little or none from the original form in which they were presented at either London or Geneva; and that it was the United States which made all the material concessions. As a consequence we now find ourselves so limited in our freedom of action in naval construction that we can provide ourselves only with that size of fleet made up of that type of vessel which the British Admiralty permits us to have. To my mind, sir, this is a piece of colossal effrontery on the part of those who sat with us at the London conference table. It is difficult to find a suitable parallel with which to describe the situation which confronts us.

It is, however, Mr. President, as if you should say to me, "Take your own money and buy yourself a dozen 13-inch collars." To which I might retort that 13-inch collars do not fit me; that I can not wear them; and that I do not want to spend any money for them. But you, sir, insist and I am compelled to buy the 13-inch collars which I can not wear and for which I have no use.

It is no sufficient argument to point out that the 6-inch-gun cruiser which we are permitted to build has a useful purpose. I admit that it has—for the British Empire. That power with its numerous naval bases, with its shorter trade routes, with its hundreds of merchantmen which may be armed over night, stands in a far different position from the United States. The total mileage of our trade routes, sir, is to-day astounding. The total tonnage of our ocean-borne trade is gigantic. And it must never be forgotten that the primary and constant purpose of the American Navy has been protection of our trade rather than combatant strength of its fleet.

This, in fact, sir, has been the controlling principle of American naval activity from the beginning of the Republic. Latterly it has gone hand in hand with three other policies the scope of which has been splendidly set forth by one of my constituents in whose merited reputation of a commentator upon international affairs I take great pride. I refer to Mr. Frank H. Simonds, who in an article published in the Washington Star on Sunday, July 13, set forth the views which actuated our naval experts in asserting the inadequacy of the American Navy as established by this treaty. At the risk of seeming prolix, I desire to read from Simonds's article in full:

The postponement of discussion of the naval treaty until the extra session insures that there would be another chance for the public to consider the merits of the London accomplishment with no such complicating details as tariff and pension legislation. Moreover, it is unmistakable that so far the treaty has excited only languid interest, and ratification has been regarded with resignation rather than with any real enthusiasm.

It is patent, however, that the only real criticism—that coming from the naval authorities of all ranks—has on the whole failed to enlist public support. On the whole, the opposition of the naval men has been the single real contribution to the forwarding of the treaty.

Yet there is an obvious paradox in all this. We are living under an administration which, more than any other, places value upon experts and commissions. From prohibition to panics, the inevitable resort has been to the so-called best minds, to the specialists and the experts. That is precisely what makes the official attitude toward the naval ex-

perts rather impressive. For, with exceptions which are too inconsiderable to make any real difference, the admirals, the captains, and the commanders—the best minds in the Navy—are in accord in opposing the treaty.

The great difficulty with the case of the admirals against the treaty lies in the fact that it is presented to the civilian mind, which is not in the least trained to consider technical or strategic aspects and has an instinctive distrust of the uniform and of the soldier or sailor. Nevertheless, there is one phase of the protest of the sailor men which deserves an attention it has not yet had.

All the naval experts who have testified have agreed that the so-called treaty navy is adequate to defend the shores of the American continent, to maintain control of the Caribbean; in a word, to conduct a passive defensive within the vital areas of the United States. They are as one in testifying that neither the British fleet in the Atlantic nor the Japanese in the Pacific can constitute a menace to our home territory.

To the untrained civilian mind this seems not only much but enough. Why should the United States desire to send a fleet to invade British areas in Europe or Japanese in Asia? The difficulty with the situation lies in the fact that there is a complete failure on the part of the layman to perceive the fact which is uppermost in the expert mind, namely, that the fleet of the United States which is adequate to defend home shores is not equal to the task of maintaining the actual policies of the Nation.

For it is a truism that the size of the fleet of any nation must be based upon the character of its policies. The first step in the reduction or even the limitation of armed strength must be the modification of national policies, to carry out which is the sole purpose of the Army and Navy. The real case of the admirals against the treaty is that it reduces the means to carry out policies which may produce collision without in the smallest degree cutting down the policies.

Broadly speaking, the United States has three policies which could carry it into collision, one with Britain and two with Japan. These policies may be described as neutrality in European conflicts, the retention and defense of the Philippines, and the maintenance of the open door in the Far East. As long as our Government and people adhere to these policies they are bound to maintain the military and naval forces adequate to support them.

As to the policy of neutrality, the situation is simple. The great powers and the small of Europe, bound by the covenant of the League of Nations, have adopted a policy of enforced peace. They have bound themselves to common action against any country which resorts to war in defiance of the rules and regulations of the league. In theory they would be bound to use economic, financial, military, and naval resources against the aggressor.

And in the calculations of all the league States the first and most important weapon is naval, and is primarily the British fleet. If Germany should one day seek to recover the Polish Corridor by force in violation of existing treaties, if Italy should apply Mussolini's recent and familiar words to any one of many questions, the league powers would be bound to unite in common action and the first step would be the employment of the British fleet for purposes of blockade, along with economic and financial pressure.

But the United States is not a member of the league; it is not considered either with German or Italian aspirations. It would have no part in the discussions and consultations which preceded the application of force. On the other hand, it would immediately be affected by any blockade which in the nature of things would go beyond any existing warrant in international law, as was the case during the World War.

The effect of such a blockade upon American trade—upon the farmer even more quickly than the manufacturer—would be disastrous. All the circumstances of 1915-16 would inevitably be reproduced. Moreover, if we accepted the blockade, as we did substantially that of the Allies in the World War, then we should be in fact an ally of the league. But just as obviously we should be the enemy of the nation or nations at war in defiance of the league mandate.

It may easily be argued that this is the course that we should follow; that we are at the least in duty bound not to feed, munition, or finance such an aggressor. But the trouble is that we have adopted no such policy, and on the whole stand firmly against it. To assist in disciplining Italy or Germany, to help Europe make war to preserve peace, is not at the present hour any part of American intention.

But since our present policy is clearly, as Mr. Wilson once phrased it, "to wage neutrality," to maintain not alone our aloofness from actual conflict, but to avoid vast losses incident to an illegal blockade, it becomes necessary to have a fleet equal to that of the greatest of the league powers, namely, Great Britain. For it is manifest that Britain will not engage in a League of Nations enterprise to preserve peace on the Continent of Europe if such enlistment insures actual collision with an American fleet of equal strength. The existence of such a fleet in itself provides the certain barrier to such British action, and is thus the guarantee of American neutral rights.

If the Government and people of the United States are ready to join the league, if they are prepared to agree in advance to waive their neutral rights when the council of the league shall pronounce some nation guilty of aggression and liable to sanction, then the whole case

of the admirals falls to the ground. We have no need of parity with Britain, because there is then no conceivable cause of conflict.

But if we refuse to join the league, if we adhere to our traditional views as to neutral rights, then the admirals, as the ultimate executors of our policy, are entitled to be heard upon the question of the means which are required. It is not only their province, but their duty, to inform the country in advance if in their judgment the existing Navy or the treaty Navy falls so far short of parity as to be incapable of performing its mission.

A European war is to-day at the very least a patent possibility. Such a war would at once compel the league to take action, and such action would inevitably involve us. If President Hoover or Secretary Stimson could inform the admirals that they would not be called into question, that we were prepared to remain neutral, but along with nominal neutrality to act as the benevolent associate of the league powers, then they would have no case and no temptation to go beyond their immediate duty.

But if we are to wage neutrality we must have a Navy adequate to the task, so completely the equal of the British as to preclude any British action which might bring a collision. And, of course, the same is true in both the Asiatic issues. If we are determined to defend the Philippines, the London treaty deprives us of adequate naval resources. The increase of the Japanese ratio automatically gives Japan strategic superiority in the area in which we must defend our island possessions. And the same is even more the case in the matter of the open door.

If we are prepared to retire behind the Hawaiian Islands, if we are, on the one hand, ready to resign our purpose to defend the Philippines, and, on the other, to renounce our policy of equal opportunity commercially in China, then the admirals' case against the London treaty falls to the ground. But, on the other hand, if we are not prepared to renounce either policy, it is clearly the business of the admirals to tell us that we are pursuing policies with inadequate resources.

The real basis for the limitation or reduction of armaments is the adjustment of national policies which may lead to collision. To reduce the size of navies, for example, while maintaining in full vigor policies which may necessitate the use of navies is like reducing the carrying capacity of a new bridge without making any prior reduction in the size of the load it must carry.

At London the single conceivable cause for Anglo-American dispute, neutral rights, was rigorously excluded. Collision was thus made no less likely but vastly more risky for the United States. And that is the case of the admirals.

Reducing the number of ships and the size of guns to be employed in war and maintaining in full vigor the policies which may produce war is not a step toward peace. With the making of these policies admirals have no proper concern. But they are entitled to ask for the naval means to carry out the political policies which the Government has adopted and to testify if the means are lacking. What the admirals have said in substance is that the treaty fleet is not adequate to sustain the national policy. That is the situation to date.

There has been much discussion of the Washington conference; and there has been free admission that as a result of that conference and of our neglect of the Navy which followed it we went to the conference at London under a marked disadvantage. We emerged from the conference at London, Mr. President, under a still greater disadvantage.

The great achievement of the Washington conference has always been hailed as the 5-5-3 ratio, respectively allotted to Great Britain, the United States, and Japan. To secure the ratio of 3 for the Japanese Empire the United States at the Washington conference felt itself obligated to forego its right to fortify its possessions in the Pacific Ocean—and this price we paid. We come out of the London conference with Japan having a ratio of 3.5 to the unchanged strength of the other powers; and we gain nothing in consideration of this concession. We still are powerless to fortify our Pacific possessions, while our own naval rival in that quarter of the globe secures now and without compensation the higher ratio which she demanded but could not obtain at the conference of Washington. In other words, Mr. President, Japan's naval strength may be increased 16½ per cent while ours remains stationary, and we continue under the handicap of not being able to use our own strategic possessions in the Pacific.

This is a feature of the treaty, Mr. President, which is difficult to be dealt with through reservation. However, before the final vote is taken I shall seek a form of words to cover this most lamentable feature of the instrument in the hope that a majority of the Senate may be brought to feel as I do about this matter.

The so-called escape or escalator clause of the treaty is one which gives some concern. In my opinion it leaves the general stipulations of the treaty to a mere psychologic whim which might settle down upon one of the signatories—and in the event of the exercise of such a whim the United States would find itself carrying a still heavier burden of restriction upon its freedom of action.

I understand that there has been an exchange of notes which seeks to remedy this defect in the instrument. But I am even more skeptical now regarding an exchange of notes than I was prior to the present episode.

I well remember the discussion which attended the ratification of the so-called Kellogg pact and all the arguments which flowed around the question of the validity of the notes made use of by certain of its signatories in connection with some of its provisions.

I remember the debate which arose particularly with reference to the various notes which were filed by certain of the signatory governments. And I remember the extreme divergence of opinion then expressed by Members of the Senate—all of which leads me now to the belief that any exchange of notes in the present instance will have little or no effect.

And on top of all this, Mr. President, there now comes to us from the present Secretary of State the amazing dictum that the treaty must be judged solely by the language contained within its four corners. I joined in the dissent from this doctrine which was expressed by the Committee on Foreign Relations, and I continue to maintain that dissent now. I believe that this matter can be remedied only through reservation, and I hope presently to be able to vote for such a reservation.

In the event, however, that a reservation of this character is not adopted, and in the event that the Stimson doctrine is to prevail, what agency will be sought for the interpretation of this provision of the treaty in the further event that a dispute shall arise concerning it?

Before this Congress comes to an end we shall have the new protocol of the so-called World Court before us. I will not pause now, sir, to discuss that question. I have already given my views upon it in its earlier form. We are told that the Root formula and the fifth Swanson reservation are identical. I shall await a later period for entering into a discussion of the axiom that things equal to the same thing are equal to each other.

But I can not avoid the fear, Mr. President, that if we permit the escape clause of this treaty to stand in its present posture without a specific reservation on our part we shall find the instrument taken for interpretation to the tribunal organized, paid, and functioning as an agency of that League of Nations which the people of this country have twice repudiated by overwhelming majorities.

Mr. President, there is no Senator who would not cheerfully support this treaty if he could be sure that it is what its advocates maintain. If, in my view, it meant reduction in armament; if it meant reduction in the burden of the taxpayer; if it meant a real contribution to the cause of international good will; if it meant any considerable step on the road to world peace, I would gladly support it. To my mind it means none of these things. To my mind it spells naval competition—though to be sure within limitations which have been laid upon us by others. To my mind it entails unwarranted expense to the American taxpayer for ships which can serve no beneficial American purpose. To my mind it will place the United States in such a position of disadvantage at the approaching next conference for naval disarmament that we shall go to it filled with resentment instead of bubbling over with the joys of peace.

These things, Mr. President, must be apparent even upon a cursory study of the instrument. How much more of disadvantage might be disclosed if time should be permitted for the dissection and discussion of this treaty. This, however, is to be denied us. A treaty which required substantially a year to negotiate and more than three months to formulate is laid before us, and we are expected to assent to it without delay and with brief discussion and with very little information.

I can not go along with such a program. I am not sure that the delay of this session which one-fourth of the Senators respectfully asked of the President would produce any marked development in public opinion regarding this document. It will probably be difficult to secure an orderly and organized expression of public opinion regarding this proposal. It is certain, however, that every Senator would find time during a recess of Congress more thoroughly to familiarize himself with the instrument and to render a more seasoned judgment upon it.

But we are thrust into this session of the Senate with little preparation for its task and pressure never before exercised here is put upon us to hasten our action.

Why should there be such haste with this instrument? Mr. President, treaties have been known to lie before the Senate for many years. There are two such treaties now here; and we remember the tiresome waiting which preceded the ratification of the Isle of Pines treaty. These delays produced no evil effects. The affairs of the world went on as usual—and I venture to predict that they will go on as usual if this treaty is not

ratified until dog days come upon us, or even if it is not ratified at all.

If I seem too often or too vigorously, Mr. President, to dwell upon what I shall continue to denominate as the indecent haste with which the consideration of this treaty is being pressed, I beg you to believe that it is not solely because of any repugnance which I may have to performing a public duty during the heat of a Washington summer. Those of us who can recall the trying weeks of the summer of 1919 when we were considering the League of Nations; those of us who can recall the even more irritating summer of 1921 when the temper of the Senate reached such a point in mutual relationships that it became necessary for us to take a recess for 30 days; those of us who can recall the summer of 1922 when we were bringing the Fordney-McCumber tariff bill to completion; and those of us who can recall the intermittent sessions of the summer of 1929 when we were struggling with the interrelated problems then laid before us—all such Senators will bear witness that I have never shirked any torrid duty which has been laid upon me here.

I do not now. It is no part of my plan to contribute to the breaking of the precarious quorum which is being maintained here—and I deem it only fair to add that no quorum could have been had if those of us who oppose this treaty had chosen to absent ourselves.

No, Mr. President, it is not from any reasons attaching to my personal comfort that I have taken the position which I continue to maintain regarding speedy ratification of this treaty. I see nothing in it which demands precipitate action on the part of the Senate. It can not be that any nation, even we ourselves, will build a navy between now and November. It can not be that any episode can take place which would thrust us into war between now and November. Consequently, I have had the temerity to resist and even to resent the unseemly speed with which it is sought to bring this treaty to ratification.

But a deeper reason than all this is to be found. The Senate in 1929 expressed its opinion upon the subject of further international agreements regarding the limitation of naval armaments. The occasion was the debate in connection with the measure providing for 15 light cruisers which our British cousins have now graciously given us written authority to build. At that period of the debate to which I specifically refer the Senate was considering an amendment proposed by the distinguished Senator from Idaho [Mr. BORAH], whose devotion to the cause of disarmament on both sea and land has been more constant and more cogently expressed than can be said of any other Senator with whom I have served here.

It will be recalled, Mr. President, that the act of February 13, 1929, the act authorizing construction of 15 light cruisers, was passed by the Senate on February 5, 1929, by the astounding vote of 68 to 12.

The collateral reasons which actuated the Senate then are interesting as we review them now. It may be freely conceded that the chief element which moved us then was our resentment at the attitude of the British delegates at the Geneva conference in 1927—an attitude which was expressed in their offering to us then a treaty almost exactly like that which they have now permitted us to bring home from London. But there were other reasons, Mr. President, among them being a most illuminating discussion regarding certain amendments which the Senate adopted prior to agreeing to the cruiser bill.

Of primary importance in this discussion was the amendment proposed by the senior Senator from Idaho, as follows:

1. That the Congress favors a restatement and recodification of the rules of law governing the conduct of the belligerents and neutrals in war at sea.
2. That such restatement and recodification should be brought about if practically possible prior to the meeting of the conference on limitations of armament in 1931.

In the discussion which followed the Senator from Idaho proceeded to elaborate the opinions which he had long held, which I hope he has not abandoned now, and upon which he had formulated his amendment. In his discussion he delved freely into a volume entitled "Peace or War" written by Commander Kenworthy, who then, as now, was a member of the British House of Commons, and who himself in a recent discussion at Westminster adverted to the great question of the freedom of the seas so far as it connected itself with the London conference.

But we know, of course, Mr. President, that the Senator from Idaho is by no means dependent upon Commander Kenworthy or upon any volume to provide him with convictions or with language with which to express his convictions. Accordingly, the Senator undertook to state a few simple facts. For example, he said:

When the great World War closed there was no such thing as a rule or a principle of law to guide and control the use and operation of commerce on the seas.

I regretted then, Mr. President, that the Senator from Idaho had limited his survey to the day when "the great World War closed." I had hoped that he would describe the constant humiliations put upon American commerce by our British cousins during the course of the World War. I had hoped that he would point out how our ships, sailing the seas upon what Kipling calls "their lawful occasions," were seized by British warships or by British armed merchantmen, dragged before a British admiralty court, their bottoms and their cargoes condemned—and may I remark in passing that it was many years before compensation was paid to the owners and shippers—our consular and diplomatic seal frequently violated, and the American people abused and humiliated.

However, the Senator from Idaho continued his argument thus:

That is the condition of affairs to-day. If a ship engaged in commerce puts out from one of our ports, it has no assurance, if war breaks out anywhere, that the ship will not be intercepted or that it will not be dealt with under the rules of the dominancy of the seas, and regardless of what the rights of a neutral ought to be. The legitimate foreign commerce of all nations has no protection other than that of force.

I continue to quote from the Senator:

This is the one thing which enables those who are interested in building great navies to argue with success the necessity of a great navy. If there is no rule to govern the use of the seas save the rule of force, necessarily those who are engaged in commerce will look to their governments for protection based upon force, and governments will necessarily supply it. Theories and plans for peace will give way to the demand of vast interests for protection, and the question is, "Can that protection be given by law or must it depend alone upon force?" I want to try the protection of law.

If I were engaging in a filibuster, Mr. President, I would turn to those intensely interesting pages of the CONGRESSIONAL RECORD for January 24, 1929, and I would read in full not only the remarks of the Senator from Idaho but also the colloquies in which he engaged with various Senators as he went on. But since it is my purpose to make as compact an argument as is within my capabilities I content myself with certain comments and limited quotations from the debate which then so interested me.

The Senator from Idaho sought to make his position plain.

If we can not—

Said he—

have an agreement with reference to the use of the sea, if our commerce depends for its protection entirely upon our Navy, if England stays with the proposition that she proposes to dominate the sea, we will build a navy superior to England's, undoubtedly. In my judgment, it is just as inevitable as time. If there can not be an agreement as to disarmament and an agreement with reference to the rights of neutrals, the United States will go forward until she will build a navy which will prevent interference with the commerce of the United States, in case any nation sees fit to undertake to interfere with it.

Whereupon the Senator from Maine [Mr. HALE] interjected:

And the Senator thinks that we should not do that?

And the Senator from Idaho replied:

I think we should, if that happens; but I think in the first place, before we do that, and before we start on a naval race, we ought to make every effort possible, first, to bring about a complete understanding with the naval powers with reference to naval building; and, secondly, complete understanding with reference to the freedom of the seas. If it is impossible to have an understanding with reference to the freedom of the seas, if it is impossible to have an understanding with reference to the size of navies, then, if it is for the protection of our commerce, we will undoubtedly build what we think is necessary to protect our commerce, and all the arguments in the world will not militate against the prime necessity of the United States protecting her commerce.

The Senator from Idaho, then, as always, gave perfect clarity to his opinions.

I would seek an understanding—

He said—

first, with the leading nations, and next, with all nations, reduce that understanding to the terms of treaties to the effect that those who would use the ocean for legitimate commerce and trade, for peaceful pursuits, could, not behind, not subsequent, not subordinate, but prior to and ahead of all those who would use it for war.

With these words, Mr. President, the Senator from Idaho ranged himself once more as I have so often seen him stand with George Washington.

Following this debate, Mr. President—and it was fully two weeks later before a final vote was taken and after the amendment proposed by the Senator from Idaho had been modified through amendments proposed by the Senator from Missouri, Mr. Reed—the Senate by a vote of 81 to 1 wrote into the cruiser bill, the act of 1929, the following language:

Sec. 5. First. That the Congress favors a treaty or treaties with all the principal maritime nations regulating the conduct of belligerents and neutrals in war at sea, including the inviolability of private property thereon.

Second. That such treaties be negotiated if practically possible prior to the meeting of the Conference on the Limitation of Armaments in 1931.

This, Mr. President, was the law of the land when the London conference assembled. Regardless of the agenda prepared for that conference and regardless of whoever prepared it, I consider that it was the duty of our delegates at that conference, first of all, to take up this question of the freedom of the seas. They did nothing of the sort.

According to the Hansard debates for the 15th of May last, the Senator from Tennessee discovered and brought his discovery to us the other day that Commander Kenworthy, to whom I have already referred, and from whose book the Senator from Idaho quoted when first he set about to secure a settlement or this problem, had declared in the House of Commons his regret that at the conference of London—

An arrangement was come to between the British and American delegates to prevent any discussion of what is known as freedom of the seas.

Commander Kenworthy declared that he was—
not giving away any secrets.

He added further:

The American delegates would not allow us to discuss it and there was a mutual understanding that this was too dangerous a topic to be discussed at the moment.

Naturally, Mr. President, the disclosure thus made by the Senator from Tennessee provoked discussion here; and the Senator from Pennsylvania explained that our delegates thought if they ever got launched into that subject they would never get through, and, while declining to admit that the American delegates absolutely prevented any discussion of the subject of the freedom of the seas at the conference, the Senator from Pennsylvania did admit that that was the position taken by our delegates.

Under these circumstances, Mr. President, is it reasonable to ask if the proceedings at London were carried forward in accordance with the American statute? It is true that the Congress provided what was looked upon as an ample appropriation for the work of the conference. But it is equally true that practically a year prior to making this appropriation the Congress by formal statute had declared its opinion of one of the conditions precedent under which such a conference should assemble. I have hitherto, Mr. President, expressed my opinion of what I have deemed to be one wrongful incident in connection with the conference, and I now wonder whether I should add another.

We have been told, Mr. President, that the reason there were no more advocates of the treaty from among our naval officers is that the proponents of the treaty did not see fit to summon them. I imagine that this is so, for I imagine that if the list of all officers of command rank had been put upon the stand they would have given testimony in exactly the proportion of those who did appear. In common with other Senators, I resent the criticism of our ablest naval experts for that they have seen fit to give their opinions as they exist. And I can imagine also, Mr. President, that the failure to call naval officers by the proponents of the treaty was due in large measure to the opinion that this treaty would be accepted by the Senate without scrutiny and all because it exists in the sacred name of peace. Those admirals who have testified and have been condemned for testifying have no cause to serve except the cause of truth and of their country. Each one of them will be on the retired list or otherwise out of the service before the results of this treaty can be felt in war; and the remark by Admiral Pratt that he would have to do the fighting under the treaty if any were done and would be satisfied to do it with the fleet provided in this treaty simply does not comport with the basic facts. This admiral comes out of the fleet in a few months and will be retired before the effects of the treaty can really be felt.

Mr. President, I have spoken heretofore of the cunning with which this treaty has been drawn. I had thought in the first instance that such defects as I had discerned in it could be remedied as we sought to deal with the treaty of Versailles—that is to say, by reservation. A closer study has brought me substantially to the point of believing that there is no method of dealing with this treaty adequately except through naked rejection of it.

As regards one of its articles which I deem to be of no little importance, no reservation can be made to cover the situation and an actual textual amendment must be had. I refer, Mr. President, to Part IV of the treaty, wherein article 22 has undertaken to set up "Established Rules of International Law." The rules so established are declared to be:

(1) In their action with regard to merchant ships submarines must conform to the rules of international law to which surface vessels are subject.

(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew, and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land or the presence of another vessel which is in a position to take them on board.

The high contracting parties invite all other powers to express their assent to the above rules.

As I view it, Mr. President, in paragraph (2) the words "merchant vessel" require an amendment by the addition of the word "unarmed."

Without this we shall enter upon a boundless field of that bickering, dispute, and bad feeling which has been portrayed by the Senator from Pennsylvania as likely to arise from our discussion of this treaty here and which surely will arise in every case which will occur through action under article 22.

If we insert merely that one word "unarmed," we shall estop our British cousins from classifying their merchant liners as "merchant vessels" to-day and "war vessels" to-morrow, as they may deem to be their own sweet will and pleasure and as the exigencies of a given day may indicate as advantageous.

As this article now stands, any one of the hundreds of British merchant ships which are capable of being armed would automatically become a war vessel in the presence of any ship which she could defeat with her 6-inch-gun armament, while in spite of the presence of these guns the ship would automatically become a merchant vessel as soon as she found herself in the neighborhood of any ship stronger than she or in the presence of a submarine.

I can not see, Mr. President, how such an amendment can possibly be objected to, in the interest both of clarity and of peace, nor do I see how our British cosignatories could reasonably refuse to accept it.

Mr. President, both in the Committee on Foreign Relations and in the Senate there has been much time spent in the discussion of the reciprocal rights of the President and the Senate in the exercise of the constitutional power of treaty making. It has been dealt with by formal resolution both in the committee and in the Senate—the committee, as I believe, acting the more properly in that it did not choose to limit its declaration of principle by inserting any phrase with reference to compatibility with the public interest. The committee asserted what I hold to be its plain constitutional privilege. The Senate diluted its declaration. The result in each case was the same. The Executive, without right but with a power which was brusquely exercised, declined to cooperate with the Senate as the Constitution provides.

In each instance the Executive, both in manner and matter, was deplorably unfortunate. The Secretary of State, with a superciliousness much more befitting to Stanmore than to Woodley, informed the Committee on Foreign Relations that it is the duty of the Senate to look upon a treaty within its four corners and to take it or leave it; while the President, in describing the proper functions of the Executive in his treaty-making function, declared that he "must not affront representatives of other nations." I can not but feel, Mr. President, that both he and his Secretary of State have seriously affronted the representatives of the American people as found in the Senate of the United States, where is lodged an equal and coeval power when arranging relations of this country with the nations of the world.

Thus, Mr. President, being denied the information which should rightfully be in our possession, and being under pressure hitherto unequalled in an attempt to force the Senate to do the Executive bidding, and being harassed by long hours in the

heat of an intolerable Washington summer, I am seeking to express my resentment and my resistance to forcible feeding in the dark.

Mr. JOHNSON. There are some phases, Mr. President, of this treaty which thus far, I think, have not been touched upon in the detail and in the fashion necessary for its complete understanding. Particularly, if there be any from the Pacific coast who have the like view that I have concerning the ultimate destiny of that territory, I want to appeal to them this morning in speaking upon this subject concerning the ratio which was won at Washington in 1922 and abandoned at London in 1930.

All are familiar, I take it, with the general details in respect to that ratio. It was one of the most difficult things with which our representatives at Washington in 1922 dealt; it was one of the things that for a very considerable period of time threatened the disruption of the Washington conference. But finally the agreement was reached; and the agreement was reached not alone in battleships and aircraft carriers but in principle, morally it was reached in regard to every other kind of craft.

It has been said repeatedly upon the floor and its repetition only emphasizes its truth, that ultimately that ratio was obtained from Japan by the United States by the surrender of what is a sovereign and inalienable right of a nation; and the surrender of that sovereignty and that inalienable right was the fortification or the strengthening of the fortifications in the future that the United States owned in the far Pacific.

As has been repeated here, and as I dare again emphasize, we have paid the price for the ratio in 1922; and, as our country ever has done, and we may feel a real pride in that regard, whenever it has entered into a covenant scrupulously it has observed it; and scrupulously we observed our covenant made in 1922 not to fortify or to strengthen our bases in the far Pacific. But we did that because only upon that predicate would Japan permit the ratio of 5 to 3 to go into effect; and one of the singular things about the speeches that have been made in behalf of this treaty, is the endeavor of everybody connected with the treaty to deny even a moral commitment at the Washington conference, and to pretend that a ratio of 5 to 3 was fixed solely in regard to capital ships and aircraft carriers.

I can not fathom why Americans representing America—and, of course, I assume those who represented America at the London conference have exactly the same regard for the country and exactly the same patriotism that we think actuate us—I can not understand why they should not have insisted upon that ratio that every single officer called and every single witness brought before the Foreign Relations Committee testified was absolutely necessary for the protection of our country in the Pacific Ocean.

On the contrary, our representatives endeavored to decry the idea, endeavored to say, "Oh, well, we only had a ratio in regard to battleships," and dismiss all the rest of it, and upon that predicate then justify their action in destroying the ratio that we won at Washington—won and gained by sacrifices concerning our own sovereignty, and that they gave away at London when they abandoned the ratio thus won.

Follow me for just a moment or two in what our delegates said:

The American plan—

Said our four delegates when they presented their report to our people—

The American plan, therefore, temporarily postponed the consideration of the navies of France and Italy and definitely proposed a program of limitation for the United States, British Empire, and Japan. The proposal was one of renunciation of building programs, of scrapping of existing ships, and of establishing an agreed ratio of naval strength. It was a proposal of sacrifices, and the American Government, in making the proposal, at once stated the sacrifices which it was ready to make and upon the basis of which alone it asked commensurate sacrifices from others.

The American plan rested upon the application of these four general principles:

"(1) That all capital-shipbuilding programs, either actual or projected, should be abandoned;

"(2) That further reduction should be made through the scrapping of certain of the older ships;

"(3) That in general regard should be had to the existing naval strength of the powers concerned;

"(4) That the capital-ship tonnage should be used as the measurement of strength for navies and a proportionate allowance of auxiliary combatant craft prescribed."

That is what was the proposal suggested by our delegates at Washington.

Then follows this, as our delegates state:

This proposal was presented on behalf of the American delegation at the first session of the conference, and at once evoked from the other delegates expressions of assent in principle.

I wonder if any of you were here in 1922, and marched down with us to the first plenary meeting that was held of the delegates to the 1922 conference. I wonder if you recall the thrill we had when first the chief of the American delegation arose and stated the American plan; and I wonder if you recall how the head of each delegation took the rostrum then, and, repeating substantially what the American chief had said in respect to the plan proposed, agreed that that plan was an appropriate one, and that plan should be adopted. We came away from there with a real thrill; and the months that elapsed thereafter in the diplomatic game were the months that caused, in the years to follow, the disillusionment that was ours in respect to the Washington conference.

But our delegates say, all four of them writing this report—do not forget that, because our delegates to London apparently did forget it entirely—they say that this proposal—

At once evoked from the other delegates expressions of assent in principle.

Then the report continues:

It was obvious that no agreement for limitation was possible if the three powers were not content to take as a basis their actual existing naval strength. General considerations of national need, aspirations and expectations, policy and program, could be brought forward by each power in justification of some hypothetical relation of naval strength with no result but profitless and interminable discussion. The solution was to take what the powers actually had, as it was manifest that neither could better its relative position unless it won in the race which it was the object of the conference to end. It was impossible to terminate competition in naval armament if the powers were to condition their agreement upon the advantages they hoped to gain in the competition itself. Accordingly, when the argument was presented by Japan that a better ratio—that is, one more favorable to Japan than that assigned by the American plan—should be adopted and emphasis was placed upon the asserted needs of Japan, the answer was made that if Japan was entitled to a better ratio upon the basis of actual existing naval strength, it should be, but otherwise it could not be, accepted. The American plan fixed the ratio between the United States, the British Empire, and Japan as 5-5-3 or 10-10-6; Great Britain at once agreed, but the Japanese Government desired a ratio of 10-10-7.

The American Government submitted to the British and Japanese naval experts its records with respect to the extent of the work which had been done on the ships under construction, and the negotiations resulted in an acceptance by both Great Britain and Japan of the ratio which the American Government had proposed.

That is the statement of our delegation; and when the distinguished Secretary of State and the distinguished gentlemen who represented us at London, and who now cram the treaty down our throats without disclosing the information that they had and that they will not give to us, endeavor to assert that there was no agreement at Washington in respect to the ratios between these three nations, the record contradicts them, and the record establishes the fact.

Before assenting to this ratio—

Says this record—

the Japanese Government desired assurances with regard to the increase of fortifications and naval bases in the Pacific Ocean.

After prolonged negotiations the three powers—the United States, the British Empire, and Japan—made an agreement that the status quo at the time of the signing of the naval treaty with regard to fortifications and naval bases should be maintained in their respective territories and possessions.

It was then that Japan accepted the ratio of 5-5-3, and that was the ratio agreed at Washington and scrapped at London; and it makes a vast, vast difference in what happened to our Navy at London, and what may happen to us in the years to come, that our delegates at London scrapped that ratio.

I realize that it is difficult for one who lives in the center of the country, and who perhaps has never had aught to do with the sea, to understand the view that is ours far out on the Pacific coast. I recognize, of course, that it is an impossibility under some circumstances for those who never expect, indeed, to have a battleship or a part of a navy of any kind within their borders—who, indeed, are like the mythical Swiss

navy in its potentialities—I can recognize how they have little conception of a great ocean that at their doors exists and upon which their future absolutely depends. But when a man comes from a country where there are five great world harbors—harbors that may be utilized for the commerce of the Nation and may mean the future prosperity of a great country such as ours—he perhaps has a clearer vision and a nearer view and a greater clarity respecting what may happen in naval so-called limitation than one who is not similarly geographically situated.

I read this record to you because the Secretary of State before the Foreign Relations Committee endeavored to say that there had been no ratio fixed at all except in battleships. That is not correct. The ratio was 5-5-3; and while it is true that there was a disagreement as to cruisers and light craft at the Washington conference by which there was not exactly the same scrapping that was done in regard to battleships, nevertheless the ratio was fixed.

The United States paid its price for that ratio, and is paying its price to-day for that ratio; and the ratio was fixed upon the testimony of the men who knew, both civilian and military, who said that that ratio was absolutely essential for the protection of the commerce of the United States of America.

I shall not read at length from the testimony that has been given in regard to what happened at London with that ratio and otherwise, but I take just one witness. It is all well enough for a distinguished gentleman to pooh-pooh witnesses who were called before the Foreign Relations Committee and to say that he might have called others. I remember, in the days when I used to try cases before juries, many, many years ago, how often I would stand before 12 men with a single witness and tell them that he was sufficient, and if it were desired a hundred could be called to corroborate him in what he said; and I hoped that nobody would suggest that I name the hundred.

These gentlemen who came here, like the Senator from Pennsylvania, and said they might have called other witnesses before the Foreign Relations Committee, you may regard in exactly that light, for if they had had the witnesses to call before the Foreign Relations Committee, they would have called them and they would have put their testimony in.

There is no doubt that so far as naval sentiment and naval testimony goes the ratio is 6 to 1, and when you regard the fact that the six have to testify against the power that exists, are compelled to take their futures in their hands, as it were, to tell the facts, and do so notwithstanding the fact that the Commander in Chief of the Army and the Navy of the United States occupies a different position, notwithstanding the fact that all the political power that has to do with the Navy of the United States is on the other side, you can realize that if the proportion is 6 to 1 against this treaty, if we got all the Navy here and they told exactly what was in their minds, the proportion would probably be 60 to 1.

In the character of witnesses nothing can be said so far as those who were called on the one side are concerned in comparison with those who may have been called upon the other. In numbers of witnesses, 6 or 5 to 1. In character of witnesses we will concede for the moment that they are all alike, but at any rate the plethora of testimony, the great preponderance of testimony, indeed the character of testimony is all on the one side.

I turn to the testimony of one man for just a moment. We maintain at Annapolis a great institution. We maintain it there for the purpose of enabling the Nation to teach those who care to follow the sea all of the minutiae and the technical requirements of a sailor or a naval official. We maintain it, sir, with a pride that we all have in that and in the like institution for the Army at West Point.

In charge of that institution to-day there is an admiral who has served as the commander of the fleet, and who served his country well, and who, as the superintendent of the academy at Annapolis to-day, stands in a position regarding naval affairs second to that of no man in all this world. That man testified before the Foreign Relations Committee, in company with some 20 others, and he had something to say of this ratio, and something to say of what had been done at London.

Let me read from his testimony. I know the uselessness of the task here. I understand full well what has been done regarding this treaty. I know that there is no power on earth, not even considering this Nation's safety, that could make some of the men who sit behind me here upon this side vote otherwise than they have been told. They know nothing, some of them, about it. I talked to one Senator upon this side day before yesterday. He said he was for the treaty, I said, of course, that was his right. He said, "I am for the treaty, because under it we will be permitted to build some cruisers,

and without it we could not build a cruiser until 1942." I quote him verbatim. That was a Senator of the United States, brought here to vote for this treaty. I would dislike to put some of them under cross-examination as to their knowledge of the treaty, and I would dislike even more to put them under cross-examination as to their reason for voting for its ratification.

Let us look at Admiral Robison's testimony. I read only a couple of paragraphs. He said:

The 8-inch class is limited in numbers to 18 for the United States.

I am going to ask Senators in a moment to look at one of the articles of this treaty, because if ever there was an article which did an injustice to our country, it is article 18 of this London pact. But after I read this testimony I shall ask Senators to glance at it with me.

The 8-inch class is limited in numbers to 18 for the United States, 15 for England, and 12 for Japan. In the 6-inch class numbers are not limited. The total tonnage of each class is limited.

The United States is further limited in the 8-inch class to 15 until 1935.

Senators ought to have these dates in their minds when they talk about parity and when they prate about what a great victory was won in permitting us to build up to Japan and when we graciously accepted the permission that was accorded us to build up to Great Britain.

I am reading from page 327 of the testimony taken before the Foreign Relations Committee. I continue:

The United States is further limited in the 8-inch class to 15 until 1935, 16 until 1936, 17 until 1937, and 18 until 1938. There is no limit on England and Japan other than the maximum of 15 and 12.

The treaty contemplates that in 1935 the United States and England will have the 5 to 5 ratio in 8-inch cruisers, the United States and Japan in numbers will have a ratio of 5 to 4 instead of 5 to 3, and in tonnage a ratio of 5 to 3.6 instead of 5 to 3. The Japanese have a couple of 8-inch cruisers that are not 10,000 tons.

In 1938 the United States may have, in the 8-inch class, a ratio in numbers of 6 to 5 to England and 5 to 3.3 to Japan.

In the 6-inch class, the United States can have before the expiration of the treaty approximately 5 to 5 with England, provided it keeps 5 to 5 in the 8-inch class, which is the only class the United States' present naval policy considers it desirable to build, so that with relation to England there is a decided change of policy. We can not have parity unless we build what England wishes us to build.

We refused at the Geneva conference to consider dividing cruisers into two classes. In this respect we have not only changed our naval policy by withdrawing from our stand at Geneva. Great Britain's reduction from 70 to 50 cruisers was announced before the London conference began.

With Japan, the United States can have 5 to 3 in 6-inch, provided it accepts 5 to 4 in 8-inch. It can not have 5 to 3 under any conditions in total cruiser tonnage. Thus, our cruiser policy is changed in favor of Japan.

Then I asked certain questions of the admiral, found on page 335:

Senator JOHNSON. First, the London treaty abandons the recognized American naval policy, does it not?

Admiral ROBISON. Yes, sir; the building policy.

Senator JOHNSON. Yes, sir. Secondly, the London treaty does not give the United States parity with Great Britain, does it?

Admiral ROBISON. Not within the life of the treaty.

Senator JOHNSON. Third, the London treaty increases the ratio of Japan that it was assumed had been fixed by the Washington treaty of 5 to 3, does it not?

Admiral ROBISON. Yes; in all categories except battleships and aircraft carriers.

Senator JOHNSON. And that increase is, of course, to the advantage of Japan and to the very great disadvantage of this country?

Admiral ROBISON. That increase is in the ships that she would depend upon to create the attrition in our force which would equalize the two forces if they ever came to a fleet action.

Admiral ROBISON. Yes.

Senator JOHNSON. Exactly, fourth, by the escalator clause in the treaty the treaty may become not a treaty of limitation at all, but quite the reverse?

Admiral ROBISON. Yes.

Senator JOHNSON. Fifth, in the matter of cruisers the United States has been compelled to surrender the United States policy and accept that of Great Britain?

Admiral ROBISON. Yes, sir; absolutely.

Senator JOHNSON. And, generally speaking, wherever there has been a question of dispute or controversy the United States has the worst of it?

Admiral ROBINSON. Roughly speaking, Senator, the treaty, where the United States is mentioned is restrictive, and where the other countries are mentioned is permissive.

There you are! There is a witness who can not be questioned. You may question as you see fit many of those who were called simply because they are serving their country to-day and are admirals of the Navy, but here is the superintendent of the academy at Annapolis, who, testifying because practically brought by subpoena before the Foreign Relations Committee, describes the conditions in a way any man may understand.

There is more than that, however—much more than that. There is one man in all the Navy who stands out preeminently in favor of the policy now being dictated by the Senator from Pennsylvania, dictated here by him as a Senator of the United States, written into a treaty over in London by him as a plenipotentiary of the United States, dictated here with the knowledge he acquired over there, which is denied to Senators here upon this floor as Senators of the United States.

One man in the Navy, one man, stands out preeminent as a witness of the Senator from Pennsylvania and those acting in his behalf, and that is Admiral Pratt. Admiral Pratt expressed himself concerning this ratio with the Japanese at one time, and this is what he said some years after the Washington conference. I read his words, written by himself and presented by himself. Said Admiral Pratt, speaking of the ratio:

We must insist upon the maintenance of the ratio established regardless of whatever pleas may be made by any country that its particular interests require special consideration. This was one of the great points gained at the last conference. We sacrificed our projected battle-ship strength to gain it. We gave up our position as the coming leading naval power to establish it, and having made that sacrifice, we should insist that it be maintained by the powers party to the treaty which established it. Although our assets are greater and our potential strength is far greater than that of any other single power, our desire to limit armaments is well known, as is also our wish to establish economy in the administration of government. These facts may be played upon in the endeavor to have the United States accept a position which she would be sorry for later.

What a prophet was Admiral Pratt in those days. Said he:

Pressure may be exerted to make us, in the interests of economy and good will, accept inferiority in future naval limitations proposed.

It scarcely seems credible that this is the same gentleman who now is proposing reduction of the cruiser strength of the United States and abandonment of the ratio that was with such cost obtained at the Washington conference.

Mr. COUZENS. Mr. President—

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from California yield to the Senator from Michigan? Mr. JOHNSON. I yield.

Mr. COUZENS. Will the Senator tell us what date that was?

Mr. JOHNSON. Nineteen hundred and twenty-seven, I think; but I am not clear as to the date. It was some years after the Washington conference. Perhaps I am in error by a year or so, but it was some years after the Washington conference, I know. I did have the date, but I have not it before me now.

Pressure may be exerted to make us, in the interests of economy, and good will, accept inferiority in future naval limitations proposed. But we, when we were strong, accepted equality with England, and in the case of Japan, we scrapped actual ships and dollars and cents, for the sake of the cause of peace and economy, when Japan actually scrapped nothing except a paper program, with the exception of two ships partially constructed. Therefore we can not and will not, I take it, yield the position we fought to gain. Moreover, there is no country, when conditions are analyzed closely and we consider imports, exports, loans, assets, trade in general, prestige, size, etc., who has a fairer claim to equality with the best, and certainly a preponderance of naval strength in the ratio of 5-3 with any others.

The 3-5 ratio gave Japan ample strength for defense, and article 19, which preserved the status quo of Pacific bases, drew our teeth, both in a defensive and in an offensive sense, and really gave Japan a preponderance in the eastern Pacific. We have no right now to put the United States in a position of inferiority in the matter of foreign relations, and as is well known, historically, a country's strength in international relations bears a direct ratio to its naval strength. The generations that come after us, if they be good Americans, will not thank us for having done it.

What language is this emanating from an admiral that is now quoted as absolute authority for an utter reversal of policy. This is the minority admiral, out of 20 or more, who espouses this treaty, and who is responsible more for it than any other expert who was taken over to London. This is the man who adjures us in the name of patriotism never to permit our-

selves to be coerced and never to permit ourselves to lose the ratio of 5 to 3 with Japan that we won in the Washington conference.

We have no right now to put the United States—

Said he—

in a position of inferiority in the matter of foreign relations, and as is well known historically, a country's strength in international relations bears a direct ratio to its naval strength. The generations that come after us, if they be good Americans, will not thank us for having done it. It is well to be thrifty.

Said he:

It is well to be thrifty. That is a fine New England trait, but there are other American traits quite as good. Love of country, desire to maintain its dignity and prestige, willingness to fight for one's ideals, one's home, and one's country are equally good. If we, by laying down all arms, could assure a lasting peace, it might be well to do it. Even so, in the present state of civilization, can you imagine a city giving up its police force? We would be laughed at for our pains, and other powers would take advantage of us as they took advantage of China, the great example of a peace-loving nation. Before 100 years have passed we may be helping fight China's battles for her.

I have read to you the language of the man who is an authority, the Superintendent of the Naval Academy at Annapolis, concerning the ratio of Japan and the disadvantage in which it puts us by virtue of its abandonment at London. I have read to you the testimony of the leading exponent of the London treaty, the leading technical exponent of the treaty, given at a time when there was nothing at stake and no power and no pressure, as he refers to, to be brought to bear upon him or upon any other man. We may take it, therefore, I assume, as settled beyond the peradventure of a doubt that we had the ratio of 5 to 3 with Japan. It was absolutely necessary for our protection in the Pacific that that ratio be maintained, and yet by the London treaty we abandoned it and gave to Japan another ratio which is disadvantageous for the United States and which renders us powerless to protect our possessions in the Pacific.

That Japan imagines that she got even more is demonstrated by reading the various newspapers, as I did the other day, and by reading in the Diplomatic Review, published in Japan, published under the auspices practically of the Government, the fact that they believed they had obtained something more in reality than appears upon the face of the treaty.

But we need only to turn to Article XVIII of the treaty to see exactly what they did obtain. Article XVIII shows that during the life of this treaty Japan obtains even an indefinitely greater ratio than upon the whole face of the treaty appears, and a ratio that is an inappropriate one so far as our defense in the Pacific is concerned and which, so far as the protection of our commerce is concerned, renders it utterly impossible for us to accomplish our purposes or do our whole duty.

I read just a word from the Manchester Guardian. I read these papers to you, sir, because you are not big enough, you have not sense enough, you can not be trusted sufficiently to have the papers upon which our delegation acted. We are denied them, and although the Senator from Pennsylvania acts upon them and now, as leader of the treaty fight in the Senate, in that singular and anomalous position crams this treaty down our throats by threats of night sessions and sitting all through the night, nevertheless what he has we are denied.

I do not know that anyone feels indignant about that except myself. I have not been able to find among my senatorial brethren anything except the acceptance of the fact, but I decline to accept it with the same acquiescence and in the same spirit that my brethren apparently are perfectly willing to accept it. I decline to admit any one man's great superiority in this body which makes him tower above every other man in this body and makes it possible for him to have that with which no other man in this body except himself can be trusted, and that is exactly the position which is maintained in regard to the documents which are denied us.

I read to you, sir, just a sentence or two from the Manchester Guardian as to the attitude of the Japanese and their belief and position:

The agreement gives America eighteen 8-inch-gun cruisers as against Japan's twelve, which includes four 8-inch-gun cruisers of 7,500 tons each, and, of course, it is a part of the bargain, as has been understood all along, that America will not build her sixteenth, seventeenth, and eighteenth cruisers until 1935. Japan gets a ratio of 70 per cent in light cruisers and destroyers, and parity in submarines. Japan stipulates that her acceptance of these figures shall not prejudice her 70 per cent claim in large cruisers when the London treaty expires. As

has been said, the Japanese reply has been received with marked satisfaction by both the British and American delegations. In official American quarters it was allowed that the Japanese reservations raised no difficulty.

No difficulties are raised by the Japanese reservations that they shall have this increased percentage and that we shall not build our cruisers during the time of the period of the treaty but shall build them at a time which will make even the first one be constructed substantially a year after the next conference, when Japan reserves the right to do as she pleases and in relation even to the construction of cruisers reserves the right to do as she pleases. This is limitation of armament and reduction of armament filled with all kinds of weasel provisions out of which those who want may accomplish their purposes.

Mr. OVERMAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from North Carolina?

Mr. JOHNSON. With pleasure.

Mr. OVERMAN. What was meant in that article by "reservations"? There is nothing in the treaty about any reservations. What does the Senator understand by that expression?

Mr. JOHNSON. There is nothing in the treaty about reservations. What they mean is beyond me. I asked the Senator from Pennsylvania for the Japanese reply to our proposal. He declined to give it upon the ground that it was given to him in confidence, so I go to the press for the purpose of obtaining what I can in relation to these matters.

Mr. OVERMAN. Where is the Manchester Guardian published?

Mr. JOHNSON. It is the leading Liberal paper of the world, perhaps, published in Manchester, England. I read yesterday the same sort of thing from the London Times that was published coincidentally and contemporaneously with the making of the treaty. I am compelled to do this sort of thing. I have gone to the Japanese papers. I have their translations here. I have gone to the leading papers of Great Britain. I have gone even into Paris itself in an endeavor to inform myself, because I am denied the information here, just as the Senator from North Carolina is denied it. We are denied it—why? God knows why. It is said there is nothing in the papers that ought not to be disclosed or that could not be disclosed, except some wild and peppery remarks of our distinguished ambassador to London, and that they, forsooth, are what preclude them from giving to us the papers which ought to be given to us.

Nobody wants those remarks. They can be stricken out, they can be cut out, or they can be done with as anyone pleases. But the information, such as giving us the Japanese proposals and the Japanese desires, such as giving us the English proposals and the English desires, we are entitled to have as a matter of right. I can not understand a body like this that will not stand upon its rights and insist upon them and get them in one fashion or another. We are entitled to them. Nobody wants to indulge, of course, in suspicions because we do not get them, but the natural thing, when we find such matters as these withheld from those who are entitled to them, is that suspicion is engendered and that we feel there is something that they dare not disclose. In my opinion, it is all poppycock that they are not disclosed because Mr. Dawes has said something funny or the reverse about somebody. That can be cut out as they want. Where are any dispatches that Japan sent?

We sent over there something that has seldom been done before—a special ambassador to be there during the time of the treaty negotiations, one of the employees, and one of the deputies of the Secretary of State. He was there all the time. The press clippings which I read yesterday showed that he was in touch all the time over there. Where are his instructions and the dispatches to him? Where are his responses?

As I have read from the London Times, the Japanese delegation never dared reach its conclusion until it had sent the proposal home, and when it was sent home to Tokyo, then it was that Mr. Castle, the special ambassador to Japan, representing America, took the matter up over there; and we are denied anything relating to that. Why?

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Maine?

Mr. JOHNSON. Certainly.

Mr. HALE. The Senator stated a moment ago that apparently he alone is indignant at the withholding of the papers which have to do with the treaty. I hope he does not mean that statement to apply to those of us who are opposing the treaty. As a matter of fact, the Senator from California has so well voiced the protest which we all felt that nothing we

could say would add to what he has already said. However, I can assure the Senator that I feel just as indignant about the matter as does he.

Mr. JOHNSON. I quite agree that there is a minority of Senators, unquestionably, who feel some indignation because they have been denied their rights, but it is a very woeful minority of the Senate. I am perfectly certain the others do not care, and are indifferent to any knowledge upon the particular subject. That is their right, and I am not questioning it; but, nevertheless, that is exactly the fact, and my brethren here upon the floor know it.

Mr. HALE. Mr. President, may I interrupt the Senator once more?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Maine?

Mr. JOHNSON. Yes.

Mr. HALE. The Senator has referred to the 8-inch-gun cruisers which we are to complete after the expiration of the treaty, and he has referred to the conference which is to be held in 1935. As chairman of the Committee on Naval Affairs, it is my duty to handle bills that have to do with the construction of the ships of the Navy. I should like to know whether the Senator from California thinks, with a conference immediately before us, it will be an easy matter to get the authorization of Congress to complete these three additional ships?

I can assure the Senator that the pacifists of the country will fight such a move to the limit of their power, and I can further assure the Senator that foreign nations, which do not want us to go ahead and build up our Navy, will use every means at their command to stir up a feeling against any such living up to the treaty program.

Mr. JOHNSON. Mr. President, I can assure the Senator of another thing—and this is by way of prophecy and prophecy alone—that these three cruisers will never be built during the life of the treaty, and there will be a presidential order, in my opinion, prohibiting their construction. The reason it will be prohibited is found in the very discussions in which I have indulged here; they are not to be built because they may affect some other relationships.

Mr. HALE. I am afraid, Mr. President, the Senator is not very far off in his prophecy.

Mr. JOHNSON. I am glad to hear that.

Now, Mr. President, let us look at Article XVIII. There is not any such article in relation to Great Britain or to Japan. Article XVIII reads:

The United States contemplates the completion by 1935 of 15 cruisers of subcategory (a), of an aggregate tonnage of 150,000 tons.

That is, we "contemplate" their construction by 1935. We have a law upon the subject. [A pause.]

Mr. President, I do not know what the Senator from Utah [Mr. SMOOT] is saying, but I would be delighted if he would address himself to me, because I am perfectly willing to discuss this matter with him.

The VICE PRESIDENT. The Senator having the floor can not be interrupted except by a Senator standing on his feet and addressing the Chair.

Mr. JOHNSON. I am perfectly willing to be interrupted.

Mr. SMOOT. I made no reference whatever to the Senator from California.

Mr. JOHNSON. I am very glad to be interrupted.

Mr. SMOOT. I had no intention and no desire to interrupt the Senator.

Mr. JOHNSON. I would love to discuss the subject with the Senator from Utah.

Mr. SMOOT. If I shall discuss it, I will do so in my own time.

Mr. JOHNSON. I hope the Senator will, but I doubt if he will.

Mr. SMOOT. I, too, doubt that I will. I do not propose to take any part whatever in this filibuster.

Mr. JOHNSON. Does the Senator call this a filibuster?

Mr. SMOOT. Yes, I do now, though I did not call it so until the last day or so.

Mr. JOHNSON. Now, let me say a word on that suggestion. Mr. President, any individual on this floor who says that I am indulging in a filibuster in the slightest degree states what he knows is a groundless and utterly baseless insinuation; there is not a word of truth in any such suggestion. There has not been a line or a syllable directed by me to this treaty that has not been perfectly germane and relevant and has not been perfectly pertinent to the discussion of the treaty.

Mr. SMOOT. Mr. President, I have not any doubt but that the Senator feels that it is his duty to say what he has said. I did not refer particularly to the Senator from California; but he knows that there is no inclination on the part of those op-

posed to the ratification of the naval treaty simply to discuss the questions that are involved in the subject matter.

Mr. JOHNSON. Of course I know it.

Mr. SMOOT. Of course they will not do so, and they do not dare do so. There has been evidence quite sufficient to show that there is an inclination to kill time and delay the ratification of the treaty.

Mr. JOHNSON. There is not one particle of ground for any such assertion or any such insinuation.

Mr. SMOOT. The Senator may say that, but, in my opinion, I want to say there is. Of course the Senator does not think so.

Mr. HALE. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Maine?

Mr. JOHNSON. I yield.

Mr. HALE. Will the Senator from Utah specify where there has been any filibustering?

Mr. SMOOT. The Senator from Utah did not ask to be heard; the Senator from California interjected a remark to me. I did not expect to say a single word upon the treaty or to interrupt the Senator at any time.

Mr. JOHNSON. The only reason, Mr. President, I interjected the remark about the Senator from Utah was because he was talking in response, I thought, to something I said. I do not know what he was saying, but he was saying something.

Mr. SMOOT. That is true; the Senator did not know what I was saying, but he thought I "was saying something." As a matter of fact, I merely made a remark in my seat to the Senator from Washington [Mr. JONES].

Mr. JOHNSON. I will withdraw the statement that the Senator "was saying something," but he was saying; and then I invited him to rise and discuss the treaty with me, and I would be delighted if he would do so.

Mr. SMOOT. To that I will say to the Senator that I have no desire to debate the subject at this time, and I am not going to interrupt the Senator. I never intended to interrupt him and do not propose to do so hereafter.

Mr. JOHNSON. I am glad to be interrupted.

Mr. SMOOT. I know the Senator is, for interruptions would consume that much more time.

Mr. JOHNSON. I am delighted to discuss this treaty with anybody; but I want to reiterate that any man who says that there is a single word I have uttered here that is not pertinent to this discussion, or that indicates that there has been upon my part the slightest attempt to filibuster on this question, states something that is utterly without one scintilla of foundation and which has no basis whatever.

Mr. GLENN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Illinois?

Mr. JOHNSON. I yield.

Mr. GLENN. Does the Senator think the same statement, as broadly made, would apply to the sixth or seventh speech made by the Senator from Tennessee [Mr. McKellar]?

Mr. JOHNSON. I certainly do. The Senator can not show me a line the Senator from Tennessee has uttered that is not pertinent to the discussion of the treaty.

Mr. President, certain Senators here who are gagged and lashed and bound, and who sit here without the nerve and without the intelligence to discuss this treaty, assume to say that anybody who dares discuss it upon this floor is filibustering or is wasting time. This, sir, is the most important matter that has been before the Senate for many, many years; nothing transcends it in its implications and in its potential possibilities to this Nation; and the man who sits here gagged and bound and dare not discuss it is unfit to sit in the United States Senate.

Now, I will proceed to read Article XVIII. I will be delighted to discuss it with the Senator from Utah or with any other Senator, because it has reference just to one country and to one country alone:

ARTICLE XVIII

The United States contemplates the completion by 1935 of 15 cruisers of subcategory (a) of an aggregate tonnage of 150,000 tons (152,400 metric tons). For each of the three remaining cruisers of subcategory (a) which it is entitled to construct the United States may elect to substitute 15,166 tons (15,409 metric tons) of cruisers of subcategory (b).

There is the demonstration that subcategory (b), which is the 6-inch-gun cruiser category, is infinitely superior to subcategory (a), the 8-inch-gun cruiser class, because our British brethren say to us we can have one and a half times as much in tonnage if we will take 6-inch-gun cruisers rather than 8-inch-gun cruisers. Article XVIII continues:

In case the United States shall construct one or more of such three remaining cruisers of subcategory (a), the sixteenth unit will not be

laid down before 1933 and will not be completed before 1936; the seventeenth will not be laid down before 1934 and will not be completed before 1937; the eighteenth will not be laid down before 1935 and will not be completed before 1938.

That means what? It means that at the meeting of the next conference when Japan comes there, with a reservation, she may do as she pleases in ratios or in cruisers. It means that we will have 15 cruisers in 1935, and Japan will have 12 cruisers at that time—a very different thing from the ratio established. There is nothing to prevent Japan at that time building exactly as Japan sees fit to build in that cruiser class. Who can doubt, under the circumstances, that she will lay down immediately, before the conference of 1935, two cruisers or thereabouts, and will build them as she sees fit to build them? These provisions of article 18 are provisions that militate not only against our cruiser strength but they militate against our ratio and abandon thoroughly and wholly and absolutely the ratio that we won in 1922.

I read certain articles a moment ago from the Manchester Guardian. I desire to read a paragraph now from an article in the London Times of April 9:

There was a meeting which lasted an hour and a half yesterday morning between the Prime Minister and Mr. Alexander, of the British delegation; Mr. Stimson and Senator Reed, of the American delegation; and Mr. Wakatsuki and Admiral Takarabe, of the Japanese delegation, accompanied by their experts. The reply of the Japanese Government to the proposals submitted from London was under close examination. The reservations suggested by the Japanese Government were considered, together with the machinery for putting any agreement into operation.

There, as is true of the press generally, reference is made to what was reserved by Japan. I do not know what it was; I do not pretend to know what it was. I have searched for it as best I could, and have found it only in newspaper references.

Mr. OVERMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from North Carolina?

Mr. JOHNSON. I yield.

Mr. OVERMAN. I have been very much impressed with the Senator's speeches on yesterday and to-day and the one he made several days ago with regard to undisclosed reservations or understandings. Our delegates assure us that there were no such reservations, and I have absolute faith in what the Senators who were delegates to the conference say. Yet Great Britain and Japan evidently believe there is a reservation. Will not the adoption of the reservation offered by the Senator from Nebraska [Mr. Norris] settle that matter, providing as it does, that we ratify the treaty with the understanding that there is no secret reservation, agreement, or understanding?

Mr. JOHNSON. Mr. President, I think the reservation offered by the Senator from Nebraska ought to be adopted, of course, but I think that much more than that should be done in order to prevent this unfairness to us by article 18. That was the reason I presented a reservation on yesterday to article 18 by which we should be enabled whenever we desired within the life of the treaty to build the three cruisers and should not be confined to dates stated in the vehicle.

It will be remembered that in the United States proposal we took the MacDonald figures of 180,000 tons. There was not any qualification, not a single solitary condition as to when they should be built. Mr. MacDonald offered 180,000 tons without any qualification, without any time limit as to when they should be built at all, and it was only when the Japanese came in and said that they would only permit 15 to be built during the life of the treaty, or up to 1935, when the next conference was to be held, that the first reservation in that regard appears.

So that under the treaty itself, when we meet in 1935 we shall have no 18 cruisers. We shall have 15 cruisers in 1935; Japan will have 12; and Japan will be at liberty to act as she sees fit. That is the language of the treaty. So that when we said in our proposition that we could have 18 cruisers, when MacDonald said that we were to have 18 cruisers, we did not mean it during the life of the treaty at all.

Yesterday, Mr. President, I was talking somewhat at length concerning our commerce. It is a question which should concern every man on the Pacific coast. To leave our commerce there inadequately protected, and to permit it, by a reduction of the ratios and a reduction of the navies to be open to somebody else's attack, some other nation's fury ultimately, is of course something that ought to be prevented and ought not to be tolerated by us.

I want to see if I can make plain some of the views upon this subject more in detail than those I expressed yesterday; and may I say to my captious friend, who perhaps is not particularly interested in what I say, that yesterday is the first time that I

had the opportunity to address myself to the treaty provisions, and was the first speech that I made upon those treaty provisions. Prior to that I had spoken again and again, four or five times, upon the question of the production of documents and the like; but yesterday was the first opportunity I had to address myself to the treaty itself. Now, I know it was wrong to speak upon the treaty at all, and to speak against it was a sin that never can be expiated; and I recognize that it was lese majesty in the eyes of some of our brethren for me to utter a word, except that word were furnished me by somebody in power. Nevertheless, it was my first opportunity, and I spoke upon the subject, and I will continue to speak upon it until my last opportunity.

It may be that we will vote this afternoon upon this treaty. It may be that we will vote to-night upon this treaty. It may be that we will vote to-morrow morning upon this treaty, or it may be that we will vote to-morrow afternoon, or it may be that we will vote on Sunday on this treaty. I do not care whether the vote comes this afternoon, or to-night, or to-morrow morning, or to-morrow afternoon, or Sunday. The last word that I will say in respect to it is in opposition to it, as I have uttered yesterday, and I shall be guilty of exactly the same lese majesty that I have been guilty of thus far.

The effect and significance of the persistent efforts which Great Britain has made to force the United States to accept the principle of dividing the cruiser category into two subcategories—with a severe restriction upon the stronger type of cruiser—is not difficult for anyone to understand. It is a question which should be understood by every Senator before voting on the treaty, because it is one of the points to which objection is taken by those who oppose the treaty and still remains somewhat obscure. This objection was emphasized as the basis of one part of the opposition to treaty terms by every naval officer who voiced his objections. It is a question primarily of Britain's ability to blockade the United States, and Japan's power to cut off over \$2,000,000,000 from our annual trade.

In these circumstances I feel that it should be worth our while at least to examine into the matter with sufficient care to get some comprehension of the general effects of this cruiser controversy.

As a background to the controversy we should understand that under the principles adopted at the Washington conference each one of the main fleets, comprising principally battleships and destroyers and a few cruisers, would be so proportioned in relation to each other that each country has a great measure of security within its home waters and near its home coasts, against the possible attacks of one of the other main fleets.

This is true by reason of the natural wastage of fighting power which comes automatically with the crossing of a great ocean by a fleet. A part of the force has to be allocated to the protection of supply ships and the line of supplies. The fleet arrives on the other side short of fuel, and thus unable to sustain the high speeds necessary for successful battle for any great length of time. Their personnel, especially on the smaller vessels, are fatigued and in no condition to give their best efforts against the fresh personnel of their opponents. Machinery troubles after a long voyage are likely to cause some of the force to drop behind, and even to return to their home ports for repairs. Further minor casualties from the efforts of hostile airplanes, mines, and submarines, and so forth, must always be discounted, and still more ships sent home across the ocean for repairs. Unless the enemy will fight an early battle, the bottoms of the ships become foul from marine growth, and units have to be sent back for docking.

This general wastage of strength is not felt to the same degree by the fleet operating near home ports, because of the very proximity of such ports, which offer ample supplies, refreshment, and repair facilities. Moreover, the home fleet enjoys a further great advantage in not having to detach some of its ships for the protection of the constant line of supply ships so essential to the fleet which is operating far from home.

Where there is a close balance of theoretical strength between two fleets in the beginning it is perfectly obvious that either one of them will seriously risk defeat merely by the act of crossing a wide ocean to the home waters of the other fleet. This is the balanced condition which was intended to be accomplished by the Washington conference when it limited battleship and airplane-carrier strength according to a fixed ratio—the 5-5-3. The idea was that we were to be left secure against the possible attacks of the British or the Japanese fleet. Britain was to be secure against corresponding attacks by the American or Japanese fleet. Japan was to be secure against possible attack by either the British or the American fleet near the waters of Japan.

This general security in the home waters of one country against the possible attack of the fleet of any of the other parties to the agreement was so nicely balanced by the 5-5-3 ratio that Admiral Yarnell, one of the few American admirals to support the London treaty, laid great stress upon the virtual certainty of no fleet crossing an ocean in the event of war as between two of the countries mentioned in a prepared statement offered as testimony before the Senate Committee on Foreign Relations.

His opinion was not even controverted before that committee by any naval officer, and so far as I am aware has not since been questioned. We may accept it without any serious doubt as a fact. The obvious conclusion is that in the event of war between the United States and either Great Britain or Japan our battleship fleet will not engage the other fleet, possibly not at all, and certainly not before the war has been in progress for a long time, or until some unusual circumstance has arisen by which the relative fighting power of the two fleets has been very substantially altered from the 5-5-3.

Meantime what will be the course and general nature of the war? From time immemorial naval warfare has been associated with war on maritime commerce. In fact, the very prime object of naval war is the control of sea trade and sea communications. We can go back into history as far as we like, and find always that this is the main element in such wars, with very few exceptions, where pure aggression and militarism are the prime movers. But even in these cases the aggression often has a fundamental economic cause. This is the way in which the British Empire was built up. The acquisition of territories had basically in view the furtherance of British trade and prosperity.

We can go back into American history to its beginnings, even to colonial times, and we find that in nearly every war the question of our ocean trade was primarily at stake, at least indirectly, and usually directly. The very causes of our quarrel with England which brought on the Revolution had their origins in interference of the mother country with our rights respecting ocean commerce. The very beginning of our Navy under the Constitution was for the purpose of protecting what was then a highly important American commerce in the Mediterranean.

Nor should we forget the naval lessons of the Civil War, which was in part economic in its origins, though also involving other most important internal issues. The naval side of it early developed into the greatest blockade in history, with smothering effect upon the military power and the prosperity and general economic welfare of the Confederacy. When we hear the time-worn argument, emanating undoubtedly from foreign sources, that the United States does not need a Navy because we are so self-contained and have so much food and such great natural resources, let us bear in mind the devastating Civil War, in which the greatest element in poverty and privation among the southern civil population was the Federal blockade.

And this is the real issue in the cruiser controversy of 1930. It is the question of whether we shall leave in foreign hands the power to work their will upon us through immense economic pressure exerted by the instrumentality of a naval blockade. Such power rests now in the hands of Britain. It has so rested for many years, and, fortunately for us both, it has never been used since the days of 1812.

Meantime, economically the world has changed. To our country predominance has shifted. We have become the world's greatest producer nation. Our quantity production ability, not only in manufactures but in mining, agriculture, public works, and every other field, is the astonishment and envy of trade competitors. We are already the world's greatest exporter, and in freights carried on the high seas we are substantially the equal of even the whole British Empire.

Oh, ye business men! You have won in the world's race of trade rivalry. You must pay the price in envy that success must ever pay. Dolts are you if you do not prepare to protect what you have won.

According to President Hoover there are 2,400,000 American families whose livelihood depends upon our foreign trade; and exports have become the measure of our economic well-being. By far the greater part of this trade must of necessity be transported by sea to reach its markets all over the world. Let us see what the official reports of our Department of Commerce, so recently administered by our President, have to say about American foreign commerce.

I read now from one of the Weekly Surveys of Foreign Trade issued by the Department of Commerce:

FOREIGN TRADE OF THE UNITED STATES IN 1929

Exports from the United States during 1929 reached a total higher than for any year since 1920. A conspicuous feature was a continuance of the upward trend in exports of finished manufactures—a

movement which has been notable for many years, but more particularly during the past decade. As compared with 1928, foreign sales of this class of articles showed an increase of \$272,000,000, or 12 per cent in value. Shipments of cotton and grain were considerably smaller, the decreases partly offsetting increases in the value of exports of automotive products, machinery, and other finished articles. The import trade was characterized by marked gains in the value of crude materials, semimanufactures, and finished articles. Many leading commodities established new quantity records; the gain in total quantity of imports over 1928 was at least 15 per cent, but owing to a lower price level for many articles the value increase was 7½ per cent.

TOTAL EXPORTS AND IMPORTS

Exports of merchandise totaled \$5,241,000,000—or 2.2 per cent more than in 1928, and larger than for any other year except the years 1916 to 1920; they were two and two-fifths times greater than the average value of exports for the period 1910–1914 and about one-fifth more than the average for the period 1921–1925. The percentage increase in quantity of exports closely paralleled the advance in their value, owing to the fact that there was little change in the average unit value of exports as compared with 1928. An adjustment for price changes in leading commodities shows that higher average unit values of heavy iron and steel, copper, and lubricating oil were counterbalanced by lower prices for cotton, motor trucks and busses, and passenger automobiles. For the past three successive years the export price index has fluctuated only slightly, ranging about 23 per cent higher than in 1913.

Practically the entire gain in total exports during 1929 was confined to the first four months of the year; during May, October, November, and December exports fell below those of a year earlier. A large proportion of the decline during these months was attributable to smaller shipments of cotton and grain. Exports of finished manufactures were larger than those of a year earlier in all but three months—May, November, and December—and only in November did they show any considerable decrease.

Imports aggregated \$4,400,000,000 during 1929—an increase of \$300,000,000 over 1928; this total was only slightly less than for 1926—the record year since 1920. As compared with the average value for the period 1910–1914, imports were two and three-fifths times as large; as compared with the average value for 1921–1925, the increase was 27½ per cent.

The total value of imports during the last few years has been greatly affected by price declines. In 1926 the value of rubber imports reached a total of \$506,000,000, whereas in 1929 the value amounted to only \$241,000,000, notwithstanding the fact that a much larger quantity was imported; the prices in these 2 years averaged 55 cents and 19 cents per pound, respectively. As compared with 1928, there were declines in the average import prices of a large proportion of other leading commodities, including sugar, coffee, cocoa, hides and skins, and tin. In fact, when an adjustment for price changes is made, there appears to have been a gain of approximately 15 per cent in quantity of imports, in contrast with an increase in value of 7½ per cent. As compared with 1926, the quantity increase was even larger.

TABLE 1.—Merchandise exports, imports, and balance of trade

(NOTE.—Figures cover period beginning July 1, 1891, and ended December 31, 1929)

[Millions of dollars]

Yearly average or year	Merchandise				Excess of exports (+) or imports (—)		
	Exports		Total Imports	Per cent imports are of exports	Mer- chan- dise	Gold	Sil- ver
	Total	Do- mestic					
1891-1895.....	692	576	785	88.0	+107	+38	+20
1896-1900.....	1,157	1,136	742	64.1	+416	—24	+27
1901-1905.....	1,454	1,427	972	66.9	+482	+1	+23
1906-1910.....	1,779	1,751	1,345	75.6	+434	—15	+14
1911-1915.....	2,371	2,332	1,712	72.2	+658	—3	+23
1916-1920.....	6,521	6,417	3,358	51.5	+3,163	—149	+79
1921-1925.....	4,307	4,310	3,450	78.5	+947	—265	+10
1910-1914 (fiscal).....	2,166	2,130	1,689	78.0	+477	+17	+20
1921.....	4,485	4,379	2,509	55.9	+1,976	—667	—12
1922.....	3,832	3,705	3,113	81.2	+719	—238	—8
1923.....	4,167	4,091	3,702	91.0	+465	—294	—2
1924.....	4,591	4,498	3,610	78.6	+981	—258	+36
1925.....	4,910	4,819	4,227	86.1	+683	+134	+35
1926.....	4,809	4,712	4,431	92.1	+378	—98	+23
1927.....	4,865	4,759	4,186	86.0	+681	—6	+21
1928.....	5,128	5,030	4,091	79.8	+1,037	+302	+19
1929.....	5,241	5,157	4,400	84.0	+841	—175	+19
Per cent increase 1929 from—							
1910-1914.....	142.0	142.1	160.5				
1921-1925.....	19.2	19.7	27.5				
1922.....	36.8	37.0	41.4				
1928.....	2.2	2.5	7.5				

BALANCE OF TRADE

The excess of merchandise exports over merchandise imports in 1929 fell below the high figure of the preceding year—\$1,037,000,000—but it was still very large, amounting to \$841,000,000. During the first 10 months of 1929 imports of gold were heavy, owing to high interest rates in the United States; however, during November and December exports of gold were considerably larger than imports. For the year as a whole gold imports exceeded exports by \$175,000,000, as against a net export of \$392,000,000 in 1928.

ECONOMIC CLASS DISTRIBUTION

Table 2 shows the distribution of exports and imports by economic classes for a pre-war period and for recent years. The most conspicuous development shown in exports has been the rapid growth in foreign sales of finished manufactures. In 1929 this class of articles constituted 49 per cent of the total trade—a larger proportion than in any earlier year; this ratio was 31 per cent in 1910–1914, 36 per cent in 1921–1925, and 45 per cent in 1928. Exports of foodstuffs amounted to 15 per cent of the total, as compared with 19.8 per cent for the period 1910–1914 and 20 per cent for 1923–1925. There has been a more closely parallel growth as between the economic classes of imports than as between the corresponding classes of exports. During 1929 imports of semimanufactures constituted 20 per cent of the total—a larger ratio than in any earlier year except 1918. Crude materials accounted for 35 per cent of the total value of imports—the smallest relative proportion for this class since 1924; this decline resulted from the lower price level of leading commodities in this group. Finished articles represented 23 per cent of the total value of imports—a larger ratio than in other recent years but approximately the same as for 1913.

TABLE 2.—Foreign merchandise trade by economic classes

Yearly average or year	Total	Crude materials	Crude foodstuffs	Manufactured foodstuffs	Semimanufactures	Finished manufactures
Millions of dollars						
EXPORTS (DOMESTIC)						
1910–1914 (fiscal).....	2,130	719	127	295	342	654
1921–1925.....	4,310	1,187	430	601	537	1,595
1922.....	3,765	988	459	588	438	1,292
1924.....	4,498	1,333	303	573	611	1,588
1926.....	4,712	1,261	335	503	656	1,957
1927.....	4,759	1,193	421	463	700	1,982
1928.....	5,030	1,293	296	496	716	2,260
1929.....	5,157	1,142	270	484	729	2,532
Per cent of total						
1910–1914 (fiscal).....	100.0	33.5	5.9	13.8	16.0	30.7
1921–1925.....	100.0	27.5	9.7	13.9	12.5	36.3
1922.....	100.0	26.3	12.2	15.6	11.6	34.3
1924.....	100.0	29.5	8.7	12.8	13.6	35.3
1926.....	100.0	26.8	7.1	10.7	13.9	41.5
1927.....	100.0	25.1	8.8	9.7	14.7	41.6
1928.....	100.0	25.7	5.9	9.3	14.2	44.9
1929.....	100.0	22.2	5.2	9.4	14.1	49.1
IMPORTS						
Millions of dollars						
1910–1914 (fiscal).....	1,689	595	203	194	307	389
1921–1925.....	3,450	1,290	383	448	609	720
1922.....	3,113	1,180	330	387	553	663
1924.....	3,610	1,298	425	522	656	749
1926.....	4,431	1,703	540	418	804	876
1927.....	4,185	1,601	505	451	750	879
1928.....	4,091	1,467	550	466	763	906
1929.....	4,400	1,559	599	424	881	999
Per cent of total						
1910–1914 (fiscal).....	100.0	35.2	12.0	11.5	18.2	23.1
1921–1925.....	100.0	37.4	11.1	13.0	17.7	20.9
1922.....	100.0	37.9	10.6	12.4	17.8	21.3
1924.....	100.0	34.9	11.8	14.4	18.2	20.8
1926.....	100.0	40.5	12.2	9.4	18.1	19.5
1927.....	100.0	38.3	12.1	10.8	17.9	21.0
1928.....	100.0	35.8	13.4	9.9	18.6	22.2
1929.....	100.0	35.4	12.3	9.6	20.0	22.7

I do not care to read the full account, but I ask permission that it be inserted in the Record as a part of my remarks.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Is there objection?

There being no objection, the matter was ordered to be printed in the Record, as follows:

EXPORTS OF LEADING COMMODITIES

The expansion in foreign sales of finished manufactures was especially marked during the first quarter of 1929, showing a gain of one-third in

value over the first quarter of 1928. For the entire year this group totaled \$2,532,000,000, a gain of 12 per cent over 1928 and of 96 per cent over 1922, only seven years before. Increases, as compared with 1928, were widely distributed among individual commodities, and new records were established for many. The value of exports of machinery amounted to \$613,000,000, a gain of 23 per cent over 1928 and about 90 per cent more than the average for the period 1921-1925. Exports of automobiles (including parts and accessories) exceeded \$539,000,000, notwithstanding the fact that foreign sales during the fourth quarter fell considerably below those of a year earlier; their value for the year was 8 per cent larger than in 1928 and more than three times greater than the average yearly sales for the period 1921 to 1925. During 1928 the value of exports of photographic and projection goods increased by 47 per cent, and there were increases ranging from 5 per cent to 14 per cent in the export values of chemicals, paints and varnishes, and finished manufactures of iron and steel, rubber, and wood.

Exports of semimanufactures, amounting to \$729,000,000 increased slightly during the year. Foreign sales of copper (all forms) increased by 8 per cent in value, owing entirely to a higher average unit price; the quantity of copper exports declined by 11 per cent. Exports of leather and of gas and fuel oil were substantially smaller than in 1928, while the value of heavy iron and steel and naval stores was considerably greater.

Crude material exports amounted to \$1,142,400,000, a decrease of 12 per cent, as compared with 1928. The decline was largely attributable to smaller shipments and lower prices of cotton. Raw-cotton exports amounted to 3,982,000,000 pounds—a decrease of 13 per cent as compared with 1928; owing to a decline in the average unit value of cotton from 20.1 cents in 1928 to 19.4 cents in 1929, the total value, amounting to \$770,800,000, showed an even larger decrease—16 per cent. Exports of leaf tobacco and undressed furs were smaller than in 1928, while those of coal and crude petroleum showed increases.

Exports of foodstuffs were somewhat smaller than in 1928; crude foodstuffs amounted to \$269,000,000—a decrease of 8½ per cent—while manufactured foods totaled \$484,300,000—an increase of 4 per cent. The quantity of grain (wheat, rye, and barley) shipped to foreign markets during 1929 was 24 per cent less than in 1928. Nevertheless, in 1929 we sold abroad 87½ per cent more of these grains than during the average year from 1910 to 1914. Exports of corn were 29 per cent larger and those of apples, valued at \$33,000,000, were 24 per cent greater than in 1928. Exports of wheat flour were the largest in five years, and packing-house products showed an 8 per cent gain during 1929, as against declines in the two preceding years.

Table 3 and the chart on the second cover page present exports of leading commodities.

TABLE 3.—Exports of leading commodities

[Values in millions and tenths of millions of dollars. Reexports are not included]

Commodity	Quantity			Value		
	1921-1925	1928	1929	1921-1925	1928	1929
Cotton, unmanufactured.....million pounds..	3,420	4,379	3,982	605.0	920.0	770.8
Machinery.....million pounds..				321.0	497.3	612.7
Industrial.....do.....				166.7	224.8	27.8
Agricultural and implements.....do.....				51.9	116.7	140.8
Electrical and apparatus.....do.....				69.3	90.8	121.4
Petroleum and products.....million barrels..				405.1	525.9	561.2
Refined oils.....do.....	76	128	127	363.6	465.2	493.4
Crude oil.....do.....	13	19	26	22.5	26.8	37.8
Automobiles, parts, and accessories.....thousand tons..				177.2	500.2	539.3
Passenger cars and trucks.....do.....	150	507	536	112.5	354.9	345.7
Packing-house products.....million pounds..	1,965	1,339	1,451	280.2	187.2	202.8
Meat products.....do.....	839	308	446	139.8	67.7	78.8
Fats and oils.....do.....	1,126	940	1,006	146.4	119.4	124.1
Lard.....do.....	861	760	829	115.6	98.7	105.5
Iron and steel mill products.....thousand tons..	1,953	2,860	3,036	166.8	179.6	200.2
Wheat, including flour.....million bushels..	227	152	154	321.9	193.7	192.3
Wheat, grain.....do.....	459	96	90	228.3	119.9	111.5
Copper, including ore and manufactures.....million pounds..	877	1,125	998	129.8	169.8	183.4
Tobacco, unmanufactured.....do.....	503	584	566	164.6	154.5	146.1
Fruits and nuts.....do.....				82.9	129.3	137.5
Cotton manufactures, including yarns, cloth, duck, tire fabrics.....million square yards..	525	547	564	79.9	79.3	79.4
Sawmill products.....million board feet..				85.1	108.8	110.6
Boards and timber.....do.....						
Coal and coke.....million tons..	2,145	3,116	3,079	83.9	108.0	109.8
Iron and steel advanced manufactures.....million tons..	21	18	20	131.1	99.5	106.2
Chemicals (coal-tar, industrial, medicinal).....do.....				68.6	82.6	87.0
Rubber and manufactures.....do.....				56.2	74.7	82.0
Automobile castings.....thousand.....	1,392	2,504	2,796	39.0	69.5	77.0
				16.3	31.1	33.6

¹ Includes office appliances and printing machinery.

² Average for years 1922-1925.

TABLE 3.—Exports of leading commodities—Continued

[Values in millions and tenths of millions of dollars. Reexports are not included]

Commodity	Quantity			Value		
	1921-1925	1928	1929	1921-1925	1928	1929
Leather.....do.....				44.3	55.2	42.9
Wood manufactures, advanced.....do.....				30.8	37.5	40.9
Paper and manufactures.....do.....				21.6	30.9	37.4
Furs and manufactures.....do.....				22.5	39.5	35.7
Photographic and projection goods.....do.....				17.8	21.5	31.6
Naval stores, gums, and resins.....do.....				22.4	26.4	31.0
Pigments, paints, and varnishes.....do.....				14.8	25.6	29.1
Oil cake and meal.....million pounds..	1,166	1,187	1,279	24.7	27.2	28.4
Barley and malt.....million bushels..	26	55	33	24.4	48.4	27.5
Books and printed matter.....do.....				19.9	24.2	27.1
Fish.....do.....				18.0	20.8	23.5
Silk manufactures.....do.....				13.0	18.6	20.4
Tobacco manufactures.....do.....				22.6	24.7	19.5
Dairy products.....do.....				30.1	18.5	17.9

LEADING IMPORT COMMODITIES

The most conspicuous change in our import trade during 1929, as compared with 1928, was a 15 per cent increase in the value of semimanufactures; the total amounted to \$880,600,000. Outstanding factors in this increase were our greater purchases of copper and its higher average unit value; imports of copper (all forms combined) increased by 24 per cent in quantity, while the value amounted to \$154,000,000—an increase of 57 per cent. Imports of vegetable oils (expressed) and fats increased by 41 per cent in quantity and 29 per cent in value. Other semimanufactures showing substantial gains in value include nickel, tin (bars, blocks, and pigs), shellac, wood pulp, pearls and semiprecious stones, dressed furs, and ferro alloys. The value of imports of fertilizers—the only leading group of semimanufactures showing a decline—was 7 per cent smaller. Imports of unrefined copper, tin (bars, blocks, pigs), unbleached chemical wood pulp, copra, tung oil, and palm oil established new quantity records.

TABLE 4.—Imports of leading commodities

[Values in millions and tenths of millions of dollars. Figures represent general imports]

Commodity	Quantity			Value		
	1921-1925	1928	1929	1921-1925	1928	1929
Silk, raw.....thousand pounds..	52,119	75,489	87,068	348.1	368.0	427.1
Coffee.....million pounds..	1,340	1,457	1,482	205.8	309.6	302.4
Rubber, crude.....do.....	681	978	1,263	192.9	244.9	241.0
Sugar, cane.....do.....	8,118	7,737	9,777	295.4	207.0	209.3
Paper and manufactures.....million pounds..	2,375	4,314	4,845	105.2	156.4	163.2
Newsprint.....do.....				90.9	139.4	144.5
Copper, including ore and manufactures.....million pounds..	598	787	974	77.8	98.2	153.7
Petroleum and products.....million barrels..				90.8	132.8	143.5
Crude oil.....do.....	95	80	79	68.0	90.5	79.9
Refined oils.....do.....	13	12	30	22.2	40.9	61.0
Hides and skins.....million pounds..	430	506	516	93.1	150.8	137.3
Furs and manufactures.....do.....				79.8	118.4	122.5
Paper base stocks.....thousand tons..	1,165	1,567	1,679	94.2	112.3	118.1
Vegetable oils, expressed, and fats.....million pounds..	613	820	1,157	59.7	77.9	100.7
Tin (bars, blocks, pigs).....do.....	132	175	195	56.5	87.0	91.8
Wool and mohair.....do.....	340	245	280	102.4	79.9	87.3
Fruits and nuts.....do.....				75.5	89.7	86.6
Art works.....do.....				31.2	55.8	82.1
Oilseeds.....million pounds..	1,393	1,668	2,161	51.2	90.7	79.3
Flaxseed.....million bushels..	17	18	24	34.0	31.2	46.5
Wool manufactures, including yarns, etc.....do.....				64.6	78.4	78.5
Burlaps.....million pounds..	559	620	644	60.4	80.1	77.4
Fertilizers.....thousand tons..	1,609	2,535	2,310	56.9	78.1	72.3
Cotton manufactures, including yarns, etc.....do.....				86.6	69.3	69.3
Chemicals (coal-tar, industrial, medicinal).....do.....				44.2	53.3	59.9
Diamonds.....thousand carats..	639	770	818	52.6	57.1	56.0
Sawmill products.....million board feet..				98.4	54.9	54.2
Boards, planks, deals.....do.....						
Tobacco, unmanufactured.....million board feet..	1,593	1,468	1,543	49.8	40.4	43.3
Cotton, unmanufactured.....million pounds..	67	75	68	64.8	55.2	53.8
Cocoa or cacao beans.....do.....	186	172	223	46.3	42.8	53.3
Vegetables and preparations.....do.....	365	379	508	31.3	47.2	49.5
Flax, hemp, and ramie manufactures.....do.....				25.2	39.9	47.8
Leather.....do.....				41.8	46.5	47.2
Leather manufactures.....do.....				15.3	43.2	44.6

There was an increase of 6 per cent in imports of crude materials, the value of which amounted to \$1,559,000,000. Imports of raw silk, wool, and cotton, miscellaneous vegetable fibers, and ores of metals were substantially greater in value. Although larger quantities of hides

and skins and of crude rubber were imported, their values were smaller. Rubber prices declined still further during 1929; the average unit import value for the year was 19 cents per pound, as against 25 cents in 1928, 36 cents in 1927, and 55 cents in 1926. Crude rubber imports were of record quantity, amounting to 1,263,000,000 pounds, as compared with 978,000,000 pounds in 1928—an increase of 29 per cent. Imports of raw silk amounted to 87,068,000 pounds valued at \$427,000,000; both quantity and value were greater than in any previous year.

Imports of finished manufactures, totaling \$998,700,000 for 1929, showed a 10 per cent gain, as compared with 1928. Our purchases of gasoline, leather manufactures, machinery and vehicles, and art works were substantially larger. Newsprint paper, the leading finished product imported, showed new record figures in both quantity and value—4,845,400,000 pounds at a value of \$144,500,000.

The value of imports of foodstuffs—\$662,000,000—increased by \$6,500,000. Imports of cane sugar—\$777,000,000 pounds—were larger than in any earlier year and showed an increase over 1928 of 26 per cent; however, there was only a slight increase in their value, owing to a lower average unit price—2.1 cents in 1929, as compared with 2.7 cents in 1928. A reduction in the average unit price of cocoa caused the value of imports of that commodity to increase by only 5 per cent—withstanding a quantity increase of 34 per cent. Coffee imports were slightly larger in quantity but smaller in value; 1,482,000,000 pounds were entered at a value of \$302,000,000. Imports of meat products and molasses were substantially larger than a year earlier, while those of wheat for manufacture in bond and export were much smaller.

Table 4 and the chart on the third page of the cover indicate the changes in quantity and value of leading import commodities in recent years.

Mr. JOHNSON. Mr. President, what has all this to do with cruisers? It has everything to do with cruisers because cruisers are the type of vessels principally involved when the question becomes one of attack against trade or of the protection of trade on the sea.

Remember that by the very balance of battleship power created at Washington in 1922 the battleships are tied to their home waters. To cross the ocean will normally mean too great a risk of defeat. Without the battleships to accompany them in support, the destroyers may not venture far from the coasts, and besides their radius of action is too small for distant operations. Submarines, if they govern themselves by international law, are not suitable for operations against commerce far from shore because their accommodations for the crews and passengers of captured merchant vessels are too restricted. The number of submarines has also been severely reduced under this treaty. There remain only cruisers, and they are ideally suited for the commercial aspect of naval warfare by reason of their size, speed, and gun power.

Cruisers are big enough to keep the sea for long periods and to maintain themselves in distant quarters provided only that they have the facilities of naval bases reasonably near to their theater of activity; whether that be convoy work, protecting trade that is not in convoy, or attacking the trade of their enemy. They are fast enough to overtake and capture all merchant ships. Their guns are intended to maintain themselves on station against the efforts of hostile men-of-war or merchant vessels upon which guns have been mounted to make of them auxiliary cruisers.

That country which has cruiser forces strong enough may control the trade of the world, just as Britain and her allies did during the late war, while compelling economic pressure was exerted on Germany and her civil population.

The country which has greatly superior cruiser forces while the main fleets are tied to the coasts—which would be the condition in a war between this country and Britain or Japan—will certainly be able to throttle the economic life of her opponent. What this means is illustrated by what the Federal blockade did to the economic life of the Confederacy during the Civil War.

It is doubtless true that the submarine, the mine, and the airplane have made a close blockade, near to coasts and ports, very difficult if not impossible. But in war forces finding the need of new expedients invariably devise them. In the late war the German submarines and mines made it necessary for the British to conduct the blockade at a distance of nearly a thousand miles from the German coasts, and this the British Navy accomplished most effectively.

So is Britain now able to blockade the United States, and so will she continue to be under the terms of this treaty. The way in which she has persistently endeavored through the last three naval limitation conferences to maintain her greatly superior blockade power is remarkable, and her diplomats are greatly to be admired and congratulated.

They came to Washington in 1921 with vastly larger cruiser forces to match against our correspondingly great superiority

in battleship power. They went home with the American battleship preponderance reduced even below the level of their own, and with their cruiser power completely intact and unimpaired. America gloried in having secured the peace of the world, and did not awake for several years thereafter to the fact that no other nation had sacrificed anything to gain that great end.

It is only within the last few weeks that we have learned that the British delegation at Washington in 1921-22 had specific instructions from their Government not to make any sacrifice of their cruiser superiority. This has recently been disclosed by a hitherto secret document which was read on the floor of the House of Commons.

Yet the British delegation at Washington for a long time seemed to be willing to swap off their cruiser surplus as against our battleship surplus, as was in substance proposed at the opening of the conference by Mr. Hughes. Their spokesman, Lord Balfour, in his opening address was most laudatory of the Hughes proposal and enthusiastically indorsed it in spirit and in principle. He dwelt upon the "hard, brutal necessities of obvious facts" respecting British trade lanes all over the world, yet in a seemingly conciliatory attitude seemed to agree to parity—specifying the battle fleet itself and all of the auxiliary naval craft properly attendant upon that fleet. All of our delegation and our naval technicians took this to mean parity in all types of ships, since the battle fleet normally comprises not only battleships but also all types of naval auxiliaries, including even cruisers.

But Balfour did not mean cruisers. And we did not know, as subsequent events demonstrated, what Balfour meant. His instructions from his Government forbade it. Several years later, near the time of the Coolidge conference at Geneva in 1927, he explained as best he could what he termed "our misunderstanding" of his meaning at Washington.

Following the Washington conference, in its delusion of having established a state of mind which would abolish naval competitive building, America scrupulously refrained from building auxiliary naval ships, including cruisers. Other nations went ahead almost immediately on the construction of such ships, especially including cruisers, and more particularly the type of 10,000-ton 8-inch-gun cruiser which had been specified at the Washington conference as the biggest and strongest type that could be built. This establishment of the upper limit as to tonnage and size of gun was the only limit placed on cruisers at Washington. The number of such ships which could be built was not restricted by the Washington treaty.

By 1927 President Coolidge saw that something had to be done. Either the United States must start building cruisers on a large scale to catch up with the others, or else a limitation by treaty must be placed on them. He called the conference which met in that year at Geneva, where American diplomats were again baffled in honest efforts to obtain for the United States some reasonable parity respecting cruisers to protect her very large and rapidly expanding ocean commerce.

No agreement could be reached for two reasons. The British insisted on such a large level of limitation that President Coolidge said it would practically amount to no limitation. In addition to this, the British insisted on subdividing the cruiser category into two subcategories. This was novel in principle. It was coupled with proposals which would severely restrict the number of 10,000-ton 8-inch-gun cruisers in all navies. This was the type which other nations had been so actively building while we had virtually stood still since 1922. Much the larger part of the total of cruiser tonnage was to be permitted to apply only to a small type, carrying guns no larger than 6 inches in caliber.

There were prolonged negotiations. The British came down a little in their total tonnage demands, but at the end were still far above the moderate figures which the Americans wanted. The real break, however, was caused by the British refusal to recede from their position insisting on the principle of subdividing cruisers into two kinds, with a very severe limit on the kind which would carry 8-inch guns.

Even after the British Cabinet had been warned by their delegation that such action would break up the conference, the cabinet gave instructions to accept no compromise on the 8-inch-gun question. The explanation of this is really very simple. It all clearly revolves around the question of the preservation of a superior British power to control commerce, a power which now gives them virtual control over the commerce of the world, a power which enables them effectively to blockade the United States, a power which they retain under the London treaty.

It is sometimes very erroneously assumed that if we had a ton-for-ton and a gun-for-gun parity with Great Britain we would have a parity in naval power with her. This is far from being true, and it is especially far from being the fact when applied to cruisers. British proponents of their case are fond of

talking of the difficulty of defending a far-flung empire. From a naval point of view the very dispersion of the empire is a great element of strength because of the splendid system of world-wide naval bases which are thereby afforded. With equality in ships between us the British Navy can meet us on superior terms anywhere in the world except close to our own coast and in the Caribbean Sea and in the vicinity of Honolulu, where we have bases. Equality of strength in ships with the United States is no genuine menace either to the trade of the British Empire or to the security of that empire, or to the well-played-up question of the food lines of Great Britain itself.

I would like to emphasize this point very clearly. We have never insisted upon anything more than a parity in naval ships with the British. That parity in ships will not give us any substantial power to injure British trade or to impair her security. It leaves with her the absolute control of much of the greater part of our commerce. Were it not for the strength of her tradition of sea mastery over the rest of the world I would not be able to understand her reluctance to accord us a real parity in naval ships alone, which still leaves her with a substantial naval superiority as a whole.

But the stubbornness with which the British maintain their position merely strengthens American determination to have at least a parity in naval ships and as close a parity in trade-protecting power as we can get. In the long run this British stubbornness and pride are bound to react. I do not refer to the possibility of war but to our stimulated determination to have what is within very moderate bounds of equity and fair play. I would like to dwell on this question of naval bases a little more fully and show you that the practical effect of having bases is to multiply the number of ships, and thus greatly to increase naval power. A concrete example will serve to illustrate the principle and to fix it in our minds clearly, so that when we talk of bases in the future we will know that we are also talking of ships themselves.

Let us suppose that an American cruiser was confronted with the task of protecting American trade with that great market whose focus is the La Plata River, which separates Argentina from Uruguay, and which leads to Paraguay also.

The nearest base from which the American cruiser could operate on this mission would be Porto Rico. Two-thirds of the cruiser's fuel would be used up in going to and returning from the La Plata River. Between round trips she would normally need to spend several days at the Porto Rico base for repairs and replenishment of supplies, so that only about one-third of her total time could be spent on station engaged in her mission of trade protection off the coast of Argentina and Uruguay.

In comparison with this a British cruiser of the same type, having exactly the same purpose, could spend nearly four-fifths of her total time on station, if she were operating from the very conveniently located base at the Falkland Islands, which served the British cruisers so well during the World War. This marked advantage of the British cruiser over the American cruiser would be entirely due to the fact of her having a base much closer to the operating ground.

Now, this simple comparison will easily show us the total number of cruisers which the United States and Great Britain must each have in order to meet on even terms—in order to have a parity in commerce-protecting ability—off the mouth of the La Plata River. If there are a total of 12 American cruisers operating from their nearest base at Porto Rico, and correspondingly there are a total of 5 British cruisers operating from their nearest base at the Falkland Islands, each force can maintain 4 cruisers on station all the time. To express the same thing in different terms, if both forces are composed of the same number of 12 cruisers, the British can maintain nearly 10 cruisers always on the spot, whereas we can not keep more than 4 cruisers constantly on station. This marked advantage over us—this ratio of about $2\frac{1}{2}$ to 1 against us in terms of effective cruisers, notwithstanding a parity in total numbers—is due solely to our deficiency in naval bases compared with the British.

The British superiority respecting naval bases in this case has clearly had the direct practical effect of multiplying the number of their cruisers. So it is, also, substantially throughout the world, excepting only the overseas trade markets on the Pacific shores of the Americas, and those on the north coast of South America.

This matter of naval bases multiplying the number of effective ships is easily understandable to the lay mind if we draw a humble analogy. Suppose a farmer using tractor plows had to take them 100 miles to reach the nearest repair shop and gas station. He would have to have two or three tractors employed in order to keep one tractor constantly at work on his land. But merely by establishing a gas and repair station close to the farm, he would double or treble the number of tractors avail-

able for useful work, and the amount of plowing that could be done would be increased in like proportion.

On a basis of ton-for-ton and gun-for-gun parity in cruiser forces, by reason of her superior naval-base facilities alone, the British cruisers can bring to bear more than two guns against every one of our guns, in nearly every important trade region on earth. Their own trade would thus be amply secure against anything within our power, while on the other hand the United States would be practically blockaded, since our trade could not reach its markets, and essential materials from overseas sources would be denied to us.

Our naval-base situation with respect to Japan is similar, though not so wide in its scope. On Monday the Senator from Arkansas made the extraordinary statement that the agreement in the Washington treaty of 1922 regarding Far Eastern naval bases was of greater advantage to the United States than to Japan. I refer him to the official report of the American delegation to that conference, printed and free for all the world to read—even a United States Senator may read it. Therein it is seen that the proposal for a limitation of naval base fortifications and facilities in the Orient was first made by the Japanese as a condition of their accepting the 5-5-3 ratio.

The American technical advisers recognized what a great advantage such an agreement would give to Japan, and the American delegation opposed it until finally, in a spirit of conciliation, they agreed to it in order that Japan might have a greater sense of security and thus might be more willing to accept the spirit of the whole treaty. The advantages which Japan has over us in the Far East respecting naval bases is very great. We can not maintain our position at Guam or the Philippines, and use their facilities for our ships, and it is possible for Japanese cruisers to bring to bear nearly two guns to our every one on cruisers in the whole sweep of oceans from China and Australia to Suez. Here we have an annual trade valued at nearly \$2,500,000,000.

Since the naval-base situation will prevent our ever attaining the 5-5-3 ratio in commerce-protecting power, even though we might have a 5-5-3 ratio in ton for ton and gun for gun in naval ships, we may be puzzled to know why England and Japan object to our right to build exclusively the kind of cruiser we want—the type carrying 8-inch guns. Why do they wish to restrict us in this type and insist that the only way in which we can fill our full quota of cruiser tonnage shall be to include a liberal amount of 6-inch-gun tonnage which we do not want?

Why, of course, they wish to compel us to build what they desire for us, because it is to their advantage. We may be even certain of that. One reason is that they already have a large number of 6-inch-gun cruisers which would be outclassed by 8-inch-gun cruisers. The official estimate of the British delegation at the Geneva conference of 1927 was that one of the large 8-inch-gun cruisers was equal in fighting power to at least two and one-half of the normal size 6-inch-gun cruisers. We have lately heard a good deal of argument in the attempt to prove that a 6-inch-gun cruiser is equal to or even better than an 8-inch-gun cruiser. You may find this British opinion, which may shed light on our proceedings here, on page 28 of the Records of the Conference for the Limitation of Naval Armament, held at Geneva from June 20 to August 4, 1927, which are in print and about which there is no secrecy.

Especially the British prefer to perpetuate this 6-inch-gun type of cruiser, of smaller tonnage than the 8-inch-gun cruiser, because they regard numbers of units as of importance in their far-flung empire, and under a total tonnage limitation of cruisers a greater number of small cruisers can be built than of the large size. Then, also with numerous well-spaced naval bases, the small cruiser will serve their purposes of trade protection because of frequent opportunities to refuel.

But a more important reason with both the British and the Japanese is that they each have three battle cruisers in their navy while we have none.

[Addressing several Senators engaged in private conversation:]

I would be very glad to have any of you gentlemen interrupt me if you desire, but I would rather you would stand up and do it than to do it otherwise.

Mr. WATSON. I will say to my friend from California that we were talking about the treaty.

Mr. JOHNSON. I have no doubt of it. I am talking about the battle cruiser. Let me give the Senator some information.

The battle cruiser is in reality a capital ship and intended primarily to take its place in the firing line near the battleships in a fleet battle. It carries guns of 14-inch or 15-inch in size and possesses very high speed, in order to attain which its armor is of less weight than that of a battleship, though much thicker than the armor of a cruiser. In effect a battle cruiser is half battleship and half cruiser, and may be used for the pur-

poses of both. While somewhat less powerful than a battleship, it is much more powerful than even an 8-inch-gun carrier. Perhaps the treaty proponents will try to prove that because the battle cruiser carries such a big gun it must be a very weak ship, paralleling their arguments respecting the 6-inch and 8-inch guns.

At any rate, the possession of these battle cruisers by both Britain and Japan is an immense advantage for them in commerce protection and commerce raiding, which under the terms of the battleship holiday we can never match. The closest we could come to equaling their commerce-protecting power by reason of these battle cruisers would be for us to have a liberal margin over Britain and Japan in the 8-inch-gun cruiser type. And this they are preventing us from having by making us agree to a subdivision of cruisers into two subcategories and making us accept a severe restriction upon the numbers of the 8-inch-gun type of cruiser.

While it is, of course, perfectly true that one 8-inch-gun cruiser alone would be no match for a battle cruiser, nevertheless several 8-inch-gun cruisers together might be able to deal with one battle cruiser if they were able to control the air. This is an important reason why Britain and Japan do not wish us to have many of the 8-inch-gun cruisers. As was demonstrated at the Battle of the Falkland Islands, the 6-inch gun can do no serious damage to a battle cruiser, while an 8-inch gun may.

The power and speed of the battle cruiser make it free to go with impunity almost anywhere on the sea. While there are but three of these vessels in each of the navies of Great Britain and Japan, we should remember how naval bases in effect multiply the numbers of available ships and what a great advantage these nations which possess battle cruisers enjoy in the matter of naval bases.

During the late war one of the greatest fears in allied naval circles, both in the United States and Europe, was the possibility of a battle cruiser raid by the Germans. We had immense numbers of troops and quantities of supplies concentrated in large groups of ships constantly moving across the ocean in convoy. Each convoy was, of course, protected by ordinary cruisers, though often the protecting cruisers were nothing but merchant ships converted into auxiliary cruisers by mounting 6-inch guns on their decks. The convoy protection, however, could not possibly be strong enough to give the least security against a battle cruiser. One German battle cruiser brought to close quarters with one of these large groups of merchant ships constituting a convoy would have done more damage in 15 minutes than the whole German submarine forces ever did in a month.

Probably the only reason why the Germans did not send out their battle cruisers against our convoys was that the Germans had no naval bases in the Atlantic to afford them security and supplies. This handicap does not confront the British nor the Japanese battle cruisers, which will be free to raid American commerce whether it is placed in convoy or not. Their battle cruisers are an immense asset to them in commercial warfare, which we have no means of meeting except partially through a reasonable number of 8-inch-gun cruisers, which are denied to us under this treaty.

The 6-inch-gun cruisers which we are permitted to build, yet which we do not want, will be of no possible use against a battle cruiser. These are some of the reasons for the persistent efforts, failing at Geneva but finally succeeding at London, to force upon the United States the principle of subdividing the cruiser category and of severely limiting the number of cruisers of the strong type. Once this principle is established it will affect to our great detriment the relative strength of our commerce-protecting forces for many years in the future. The principle is not equitable to us, and that is why we resisted it so strenuously and successfully in 1927 at Geneva, under the specific instructions and directions of President Coolidge, who had given close personal attention to the matter.

Yet even this is not the whole story of how a parity in naval ships fails to insure to the United States a parity in commerce-protecting power. As is well known, the number of British merchant ships capable of having 6-inch guns mounted on their decks and otherwise suitable for use as auxiliary cruisers by reason of their size, speed, and so forth, is several times the number contained in the American merchant marine.

Merchant ships have always been used as naval auxiliary ships for fighting, as well as other purposes. The late war was no exception, and natural expediency is sufficient to guarantee such use for an indefinite period in the future, when they will doubtless carry not only guns but also airplanes.

The value of converted merchantmen has been amply testified to by many authorities. The officially recorded testimony of the

commander in chief of the grand fleet before the Geneva conference of 1927, to which he was himself a delegate, contains the following:

I will now refer to my experience as commander in chief of the grand fleet during the war in carrying out the duties imposed upon me so far as they related to trade protection. The duties of the cruisers attached to the grand fleet were to stop the exit of German men-of-war and raiders of mercantile type from the North Sea, and at the same time to assist in enforcing the blockade. * * * To carry out these duties my cruiser force in 1914 consisted of 8 obsolete protected cruisers, usually outside the North Sea, 8 armored cruisers, and 10 light cruisers. By 1916 these numbers had become 24 armed merchant vessels outside the North Sea, 8 armored cruisers, and 22 light cruisers.

Besides these 24 armed merchant ships there were, during the course of the war, many others in allied navies scattered all over the world, besides a number of German armed merchant ships engaged in raiding commerce. At first, these merchant auxiliaries had been armed with guns approximating to 4 inches in caliber, which left them at a great disadvantage when confronted with a hostile cruiser of the regular man-of-war type. But these smaller guns were replaced by guns of the 6-inch size, and when so armed a merchant ship becomes a very formidable cruiser indeed. While one of them may not be a match for a cruiser of the regular type, several of them together could expect success against the regular cruiser. In any case, the converted merchantman is an excellent type of ship to raid hostile commerce and to conduct a blockade at a distance from the coast.

When we consider the great superiority of the British in merchant auxiliaries capable of mounting 6-inch guns, it is easy to discern their reasons for wanting us not to have many of the 8-inch-gun type of cruiser, which would be exceedingly valuable in meeting the merchant-ship menace to us. The more they can keep down the numbers of our 8-inch-gun cruisers and the more they can force us into accepting the principle of having the greater part of our cruiser forces represented by the 6-inch-gun type the more certain they are of having their superiority of merchant marine of great value against our commerce and against our economic welfare and business prosperity. The more certain they are of being able to keep the overwhelming power they now have of smothering us through a blockade maintained hundreds of miles off our coasts.

Now, when we survey the whole picture and consider together the three great elements existing against our commerce-protecting power—when we conceive of the combination of naval bases, battle cruisers, and merchant marine—it is very evident that under a limitation of naval armament in ships of strictly naval types there is not the least chance for us to have a parity in commerce-protection power under any circumstances.

The best that we can possibly do is to build all of our cruisers of the 8-inch-gun type, and that has been our policy ever since limitation of naval armaments came upon the world stage. This was strictly within the letter and spirit of the principles of the Washington naval treaty of 1922, which we made such great sacrifices in the matter of battleships and naval bases to gain. It is strictly and scrupulously within every bound of ethics and fair play that we should do this.

No impartial person can review the whole case without concluding that it is not within the bounds of ethics and fair play for the other countries to work by devious methods of secret diplomacy and cuttlefish propaganda to so break down the principles of the Washington conference—nor to attempt to deny us the right to build the kind of ship that is suited to our purpose. Bear in mind again that for us to do this could not possibly bring us up to the 5-5-3 ratio in commerce-protecting power. It could only reduce the handicaps against us by a comparatively small amount and still leave a great advantage with the others.

In the face of all this we have got a strange treaty. Admiral Pratt, the chief technical adviser to the American delegation at London, in testimony before the Foreign Relations Committee, and also the Naval Affairs Committee, has repeated and emphasized the fact that the treaty was designed on fleet combat strength alone. He stresses the difficulties of basing a treaty in any degree upon commerce protection, and states conclusively and without possibility of misunderstanding that no account whatever was taken in his formulation of this treaty of the trade-protection problem.

This is strongly reminiscent of Lord Balfour at Washington, who, under instruction from his Government and held secret to within a few weeks ago, wished covertly to consider only the battle fleet itself, together with only those auxiliaries which strictly are attendant on and form an intimate part of the battle fleet. He wished to exclude from all consideration those forces which must scatter to the four quarters of the world on

a commerce-protection mission. So also with the British delegation at Geneva. They had in mind the sharp restriction upon our commerce-protecting power.

Not so with the American delegation at Washington. Not so with the American delegation at Geneva. Only at London do we find a plastic American delegation converted to the British idea so tenaciously insisted upon by the best technical advice which the British Navy commands.

In sharp paradox with the doctrine of Admiral Pratt we have the doctrine of Admiral Yarnell—another American admiral attached to the delegation at London and who supports the treaty now. His testimony before the Foreign Relations Committee clearly sets forth the fact that the main battle fleets are already so nicely balanced that whether we have a war with either Britain or Japan, no fleet will cross an ocean without serious risk of defeat. The only logical deduction which can be made from this is that in such wars there will be no fleet combat. Of what use, then, are Admiral Pratt's carefully and elaborately constructed hypotheses as to fleet-combat strength? Obviously a war with either Great Britain or Japan will take the primary form of a war against commerce, and it is commerce-protection power that we need, but have taken no account of in the treaty settlement.

There can be no doubt that the other navies have taken account of commerce-protection power in their position. They have said so repeatedly at Washington in 1922, and at Geneva in 1927. They have at times even emphasized it as their leading consideration. It is only the United States which has been persuaded not to consider this fundamental factor in naval warfare, as is more than evident from our willingness to sacrifice the principle of the division of the cruiser category into two subcategories.

So, Mr. President, we have a strange treaty from the point of view of the United States. We are to have a Navy designed exclusively for fleet combat strength when there is to be no fleet combat, and a Navy not properly balanced and not even designed for trade protection, when that is the only probable work which the Navy will be called upon to do. This paradox is amply substantiated by the testimony introduced by the only two American admirals called upon by treaty proponents before the Foreign Relations Committee of the Senate.

The broad question before us is economic rather than naval. It is not so much a question of naval competition as it is of business competition supported by diplomatic competition. It is not a matter primarily of peace or war but of shillings and dollars and yen. It is not really a question of world peace but a matter principally concerned with world trade. In this question of cruisers there is tied up the question of whether our internationalists are not merely hamstringing the American Navy but also picking the American pocket.

Mr. President, I am offering a reservation, which I ask may be printed and lie on the table, please. I do not care to read it at the present time, unless some Senator wishes it read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The reservation is as follows:

Nothing in this article shall be construed as an intention upon the part of the United States of America to abandon or depart from its policy to consider cruisers as consisting of but one category, anything in said treaty to the contrary notwithstanding. During the life of said treaty within the cruiser tonnage allotted the United States may build or construct its cruisers in either or both categories described in Article XV as it sees fit.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Greene	McKellar	Shipstead
Bingham	Hale	McNary	Shortridge
Black	Harris	Metcalf	Smoot
Blaine	Harrison	Moses	Steiwer
Borah	Hastings	Norris	Stephens
Capper	Hatfield	Oddie	Sullivan
Caraway	Hebert	Overman	Swanson
Copeland	Howell	Patterson	Thomas, Idaho
Consens	Johnson	Phipps	Thomas, Okla.
Dale	Jones	Pine	Townsend
Deneen	Kean	Pittman	Trammell
Fess	Kendrick	Reed	Vandenberg
George	Keyes	Robinson, Ark.	Walcott
Gillett	King	Robinson, Ind.	Walsh, Mass.
Glenn	La Follette	Robison, Ky.	Walsh, Mont.
Goldsborough	McCulloch	Sheppard	Watson

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present.

Mr. ODDIE. Mr. President, in connection with the London treaty that is before us we have heard much discussion on the

technical points involved—for instance, on the relative merits of the 6-inch and 8-inch gun cruisers—but we have not had the pertinent points from the testimony of our admirals who appeared at the request of the Naval Affairs Committee and gave very able testimony in detail relating to the question.

The fact has been overlooked to a large extent that Congress has committed itself to the 8-inch-gun cruisers since the Washington conference and since the Geneva conference. The General Board has been practically unanimous in favor of the 8-inch-gun cruiser as against the 6-inch-gun cruiser during this time. It has been brought out that the General Board was virtually instructed to reduce the number of 8-inch-gun cruisers which it had determined was necessary in order that our national defense might be maintained and in order to reach an irreducible minimum from 23 to 21, and under the same instructions substituted a few 6-inch-gun cruisers in place of the two 8-inch-gun cruisers which it was compelled to give up; but it has maintained all the way through that the 8-inch-gun cruiser was the best and the most practical cruiser for us to have. The ten 6-inch-gun cruisers of the *Omaha* type, as has been stated here repeatedly, were laid down at the same time that the six battle cruisers were authorized or laid down, following the Washington conference.

As this question is so vital to us, it is important that some of the testimony that was given before the Naval Affairs Committee of the Senate be given to the Senate and commented on.

I will comment very briefly on some of the testimony of Admiral Pratt, one of the naval advisers sent to London, whose advice and counsel was followed by the delegates in the formulating of the treaty.

Admiral Pratt appeared before the Senate Naval Affairs Committee, and, in my opinion, was very weak in advocating the 6-inch-gun cruiser as against the 8-inch-gun cruiser. I think at this point something should be said about the able chairman of the Naval Affairs Committee, who has conducted the hearings in the most able and painstaking way. Every man in the Senate knows that he has for years worked efficiently and most ably in conducting the affairs of the Naval Affairs Committee. His father before him also was for years chairman of this committee and also proved himself a great authority on naval matters. I feel that the able and instructive statements made and the information given on this treaty on the floor of the Senate by the Senator from Maine [Mr. HALE] should be given much consideration by the Senate.

When Admiral Pratt appeared before the Senate Naval Affairs Committee, the chairman stated, on page 99:

I want to show that Admiral Pratt came before our committee in 1927—that is, before the Appropriations Committee—and testified that we needed thirty-six 10,000-ton cruisers. I think that is correct, is it not, Admiral Pratt?

Admiral PRATT. That is what I said.

The CHAIRMAN. And when you spoke of a 10,000-ton vessel at that time, of course, that means a 10,000-ton vessel with 8-inch guns.

Admiral PRATT. I did not say so.

The CHAIRMAN. But I do not think any other type was contemplated at the time.

Admiral PRATT. I am afraid if you are going to hold me down to words on the one side I am going to hold you down to words on the other side. It said 10,000-ton vessels.

The CHAIRMAN. Yes.

Then other testimony intervened.

The CHAIRMAN. We were holding hearings about the appropriation to finish the 8-cruiser program, and we got the money to build that program.

Admiral PRATT. What I would like to invite your attention to is that the London treaty does give us 36, and we have not sacrificed the right to have 10,000-ton ships of the eights or sixes, or as we prefer to have them.

As I told you before, I am a great admirer of the 8-inch ship. I firmly believe in it. But I do not want all my eggs in one basket, and I can not see where I have made any statement there that committed me to anything but 10,000 tons.

The CHAIRMAN. That is so, as the record reads.

Admiral PRATT. But I have in this London conference insisted that we should not cut this tonnage down under the 10,000 tons.

On the other hand, in the proposition which was made by the General Board, they wanted 315,000 tons, twenty-one 8-inch cruisers and five 7,000-ton ships. Some people considered it was parity, but I did not. And that was a direct violation of the 10,000-ton policy, but it was not made by me or by any of the advisers that went over to London. It was made by the General Board.

The CHAIRMAN. But not of their own free will. They were driven to it.

Admiral PRATT. Well, they were not driven to put five 7,000-ton ships. They got that into their own heads.

The CHAIRMAN. They were driven to it in getting away from the proposition—

Admiral PRATT. What I say is this—and I believe it. I may be wrong, but I believe it—that in the proposition which came out of the London conference that the cruiser deal was a better deal for the United States than had they accepted the General Board proposition. There are a lot of people who don't think that, but I think it is. I have got to tell you what I honestly think.

The CHAIRMAN. Surely.

Admiral PRATT. So it seems to me I have been rather consistent.

The CHAIRMAN. As I have already stated, at that time there was never any question of having a 10,000-ton ship and putting anything but 8-inch guns on it, and I recall that we had a talk with you in executive session. I do not recall exactly what was said, but I know that no question came up of arming any of those ships with other than 8-inch guns.

Admiral PRATT. I think—

The CHAIRMAN. You would not contend anything else, would you?

Admiral PRATT. I will make it a little clearer to you. I am perfectly willing to agree with you that at that time I thought the 8-inch, but I was not so sure that I was willing to commit all my tonnage to that and I do not think I ever said so, and I still think the 8-inch cruiser for certain work is the best kind of ship we can build. But I do want some of the 6-inch guns, when you measure from fleet combat strength alone. If you are going to talk about protecting trade routes, that is another proposition. I did not make my estimate on that proposition. I made it on fleet combat strength, and it is for you gentlemen to judge whether it is good or not. I had to make it some way, and that is the way I made it.

In this statement Admiral Pratt states plainly that he thinks the 8-inch-gun cruiser for certain work is the best kind of a ship we can build, but that he wants some 6-inch-gun ships. We have ten 6-inch-gun ships to take the place in the screen of the fleet in fleet combat operations. We have those ships, and we have enough of them. But he does not say that the 8-inch ship is not the best ship for dispersed operations. He said:

If you are going to talk about protecting trade routes, that is another proposition.

In other words, we need the 8-inch-gun ships for protecting trade routes. In the last few days much has been brought out on the floor of the Senate regarding the necessity of protecting our trade routes. Some make light of this question, but it is one of the all-important ones for us to consider. There has always been uppermost in the minds of Americans, since the birth of this Republic, the protection of our foreign commerce, and we can not protect it if we allow nations that want to weaken the protection of our trade routes to have their way in determining what kind of ships we can build or can not build.

I want to say something about Admiral Hilary P. Jones, who was one of the naval authorities sent to London, but whose advice was not followed. He is one of the soundest men we have ever had in the Navy, one of the best, one of the most conscientious, able, courageous, and magnificent types of men we have ever had. He is an able admiral, he has had 47 years of actual service in the Navy, and has served 28 years and 8 months actually at sea.

He was born in Hanover Academy, Va., November 14, 1863, and was appointed a cadet midshipman by the Hon. J. E. Johnston, Member of Congress of the third congressional district of Virginia, on September 25, 1880. He graduated in 1884.

At the beginning of the World War he was in command of Squadron 1, patrol force, Atlantic Fleet, and in July, 1917, he was appointed commander, Division 1, cruiser force, raider guard, Atlantic Fleet. Commander Newport News division, cruiser and transport forces, from April, 1918, to January, 1919, and director naval overseas transportation from January to July, 1919.

He was commissioned vice admiral while commanding the Second Battleship Squadron, Atlantic Fleet, from July 1, 1919, to 1921, and reported in July, 1921, for duty as commander in chief of the Atlantic Fleet, with the rank of admiral. His title was changed to commander in chief, United States Fleet, in December, 1922, and this duty and rank terminated when he reported for duty as a member of the General Board of the Navy Department in August, 1923.

Having attained the statutory retirement age of 64 years, Rear Admiral Jones was transferred to the retired list of the Navy from the 14th of November, 1927.

Before and subsequent to his retirement he was designated naval member of the American representation on the Geneva Preparatory Commission, Geneva, Switzerland, in 1926 and 1927. In 1927 he was naval member of the American representation of the 3-power conference for a limitation of naval armament at Geneva, Switzerland, and in 1929 was designated naval adviser to the American delegation to six meetings of the

Preparatory Commission for Disarmament Conference, Geneva, Switzerland, in April of that year.

Admiral Jones holds a Naval War College diploma, class of July, 1916, and was awarded a decoration from the Government of Brazil, and the legion of honor, with the rank of commander, by the French Government.

He was awarded the distinguished-service medal both by the Navy and War Departments for services during the World War.

He appeared before the Naval Affairs Committee at the request of the chairman and made certain statements. I read from the report of the proceedings, because they have a most important bearing on this treaty problem:

STATEMENT OF REAR ADMIRAL HILARY P. JONES, UNITED STATES NAVY
RETIRED LIST

The CHAIRMAN. Admiral Jones, will you give your full name to the reporter?

Admiral JONES. Hilary P. Jones; rear admiral, United States Navy, on the retired list.

The CHAIRMAN. Admiral, we shall be glad to hear from you about the London treaty and its effect on the national defense of the country. You were one of the naval advisers at the London conference, were you not?

Admiral JONES. Yes, sir.

The CHAIRMAN. Previous to that you were a delegate to the Geneva conference in 1927?

Admiral JONES. Yes, sir.

The CHAIRMAN. And also to the meetings of the preparatory commission?

Admiral JONES. I was chief naval adviser to our delegation to the preparatory commission from its inception in 1926.

The CHAIRMAN. And you attended all of the sessions of the preparatory commission?

Admiral JONES. All except one short meeting of the preparatory commission, and it was not considered necessary to send the regular delegation from this country to the meeting.

The CHAIRMAN. Admiral, we would like to have a statement from you as to your views of the treaty and the general question of its effect on the national defense of the country, and, with the permission of the committee, I think we will allow you to go ahead and make your statement and then ask you questions afterwards.

Admiral JONES. As I understand it, sir, I shall confine myself to the treaty?

The CHAIRMAN. No. Anything that has to do with the treaty.

Senator WALSH of Massachusetts. We would like the reasons why the admiral favors or opposes the treaty, and such arguments as he thinks should be presented to us.

The CHAIRMAN. Yes.

Admiral JONES. Mr. Chairman, with your permission, then, I think it would be not inadvisable to give somewhat of a historic background in order to explain our attitude generally in all of the meetings of the preparatory commission and at the Geneva conference, and what I thought should be the background at the London conference. Is that satisfactory?

The CHAIRMAN. Yes. We shall be glad to hear from you about any steps leading up to the London conference, with which you are familiar.

Admiral JONES. In 1925, or the early part of 1926, we received an invitation to take part in the preparatory commission for the reduction and limitation of armament, which is the creation, as you know, of the Council of the League of Nations. Seven questions were received from the Council of the League of Nations for study as part of the agenda of the first meeting. We made very careful studies of those questions with the aid of members of the General Board, and also in connection with the State Department and representatives of the Army in the preparation of agenda and instructions for the delegation which would attend that conference. At all the meetings of the State Department in the preparation of the agenda, and in preparing the instructions for the delegation, strict adherence to the principles and ratios established at the Washington conference was enjoined upon the delegation at all times.

In this statement I will express my own ideas and my own experiences generally.

The CHAIRMAN. Very well, Admiral. Go ahead in your own way.

Admiral JONES. I would like to speak somewhat of my general attitude toward the objects and desirability of reduction and limitation of armaments, because I have been a consistent advocate of such reduction and limitation.

In approaching the subject of reduction and limitation of armaments it would seem necessary to establish definitely as far as possible the real objectives to be gained by such reduction and limitation. Two fundamental objectives may be stated as follows:

"1. Peace objective: Reducing the probability of war and thereby helping to promote universal peace.

"2. Economic objective: Materially reducing the burden of taxation incident to the building and maintenance of armaments by different nations of the world."

In considering the first objective we should differentiate between the reduction of armaments and the limitation of armaments. So long as the accepted proportional relationship in armaments existed between nations reduction per se in the size and character of the armaments would not exercise material influence in lessening the probabilities of war, because such reduced armaments would be used by a nation having its vital policies adversely affected so seriously by another nation as to warrant resorting to war as an ultimate means.

The limitation of armaments by agreements between nations, on the other hand, would end competitive building and thus tend to lessen the probability of war. History has proved that competitive building of armaments has acted as an incentive to rather than a deterrent from resorting to war as a means of settling disputes among nations.

So, in view of this I have consistently tried to find some basis ever since we started by which we might effect reduction and limitation of armaments, but in doing that, in following out the instructions that we had, I have kept always in mind that the United States will adhere to the following principles as basic and unassailable:

"1. No limitation of its sovereign power.

"2. A navy adequate for the protection of its continental territory and overseas possessions.

"3. A navy adequate for the maintenance of its vital interests and the protection of its citizens in all parts of the world.

"4. A navy adequate to insure open lines of communication for its world-wide commerce, and the full protection thereof."

In order to assure the absolute integrity of the above principles, I consider that the United States must have a navy second to none in actual strength.

To the end effecting economy in expenditures for naval construction and of avoiding competitive naval building programs, the United States have proposed that the capital-ship ratios (5-5-3) for the United States, Great Britain, and Japan be extended to all classes of vessels and would consent to such extension.

The principal questions we had to deal with were the methods of effecting reduction and limitation of armaments, our own method, the British method, the Japanese method, and the continental or global method.

Our method was limitation by categories, and to fix the total tonnage in each category, with the right of each nation within that total tonnage to distribute its tonnage in that category in such units as her geographical and strategic ends might dictate.

The British method was total numbers in each category.

The Japanese method was the same as ours, except that they followed more closely the principle of the Washington conference in that they lumped the destroyers and cruisers—that is, the surface auxiliary craft—in one category.

The CHAIRMAN. Just as in the Washington conference?

Admiral JONES. They followed strictly the principle of the Washington conference, and I might say, sir, as I interpreted it, the principle of the Washington conference was to fix the total tonnage in each category with the right to distribute the units within such tonnage as the Nation might see fit, except that auxiliary surface vessels were lumped in one category.

The CHAIRMAN. I didn't quite get the difference between the Japanese and American position.

Admiral JONES. The only difference is that we separated the cruiser category and the destroyer category and fixed the limit in each of those separately, the total tonnage in each of those categories. The Japanese method lumped those two and fixed the total tonnage for the two categories.

The CHAIRMAN. That was our original plan in the Washington conference when we considered auxiliary craft?

Admiral JONES. That was Mr. Hughes's proposal, and that proposal was accepted in principle by all the powers concerned.

Now, I will say that in all of our conferences, in all of the conferences that we have attended, we have sought no special advantages, but have insisted that we shall not be put at a disadvantage.

I can illustrate that very well, sir, by telling my experience before going to the Geneva conference, when I asked an officer to make me out an estimate of our situation before going there, so as to give me a clear idea, along with my own studies, of what was the situation. When I saw him some time later he said, "The mission of any delegation to such a conference was to see that their country is put in a position of advantage." I said that I could not attend a conference if we were going on any such principle as that, but to approach it from the other angle, that "the mission of any delegation to a conference was to see that their country was not put at a disadvantage; that if we were going into a conference with each trying to get the better of the other, we would never arrive anywhere."

Senator WALSH of Massachusetts. Was that the attitude of the other nations at the Geneva conference?

Admiral JONES. I wouldn't like to say, sir, what the attitude of the other nations was. Of course, the duty of a naval officer and of all naval officers is to keep in mind the question of the national defense. Personally I think that the defense of our coast line and intercontinental territory is one of the simplest forms of our national defense. One thing we must look to at all times is for us to have an equality of

opportunity, at least an equality of opportunity in the areas vital to our economical and physical life; that is, in all the broad horizons over the world where our trade leads and where our vital lines of communication must be kept open.

In seeking that equality of opportunity in all parts of the world where our trade lines and our interest will lay we need certain types of units; rather, certain types of units are imposed upon us by our geographical position and lack of bases, which necessitate carrying on unit operations in distant areas.

In the matter of the types of units imposed upon us by our geographical position, our lack of bases, entailing upon us, therefore, the necessity of considering unit operations in distant areas, we need in our units great sea endurance, power of survival, which means offensive power against what can be brought against them, and as much protection within the unit as it is possible to have.

Now, in what can be brought against any units we have operating in distant areas we must consider that such operations in almost any part of the world are carried on within comparatively short distances of bases belonging to other powers. Having bases in these various parts of the world, it is possible for other powers to bring a flock or several units against the individual unit that we may possibly have there. We must remember that our vessels when operating for control of our lines of communication in distant areas, particularly if we have a limitation of armaments, may well bring us down to the necessity of sending one unit out to a particular area and when she has exhausted her fuel she must return home. Therefore we must consider the sea endurance, what will be required to take her there, and how long she may operate in that area before necessity will force her to return, with the long journey back home. As I said, the power of endurance is the inherent power in that unit to take care of herself while she is operating in the area against what may be brought against her by virtue of others operating from bases and therefore along shorter lines.

Then a question has been brought up as regards the speed and other things in the matter of convoys. It may be necessary and probably will be necessary for us to adopt the method of convoy which we have always very much advocated. It must be remembered that the escort of a convoy can not use her speed to run away from anything. She has got to fight whatever may be brought against her in order to give the units of the convoy an opportunity to scatter and escape, and therefore in a convoy we must have a unit that will fight whatever may be brought against her, with some hope of success.

I would say, sir, another thing that has occurred to me is that in sending our vessels out we can not consider only the material that has gone out, but we must also consider that we are sending men out on those units, and we should give them at least as fair a chance as it is possible to do.

That deals with the general idea of these unit operations in distant waters.

Senator WALSH of Massachusetts. And I think that is a very good statement of our needs.

Mr. President, that is a feature which has not been brought out clearly enough in the Senate. I refer to the question of the protection of our men, the protection of American lives. When we allow civilians to use civilian arguments and opinions rather than the opinions of the technically trained naval men in determining questions of our national defense we are endangering the lives of Americans. We know what was done by our Navy in conveying the troops across the ocean in the great World War. We know it did one of the finest pieces of work ever done in history. We must not take away the initiative and the ability and the power to protect our men in case another calamity such as that should ever come to us. God save us from anything of the kind again. We all hope such a calamity will not come to us and will do everything in our power to prevent it.

I feel that in ratifying the treaty as it is presented to us to-day we would be weakening our national defense and in a measure inviting trouble for ourselves for the future. If the treaty is not ratified we can go ahead with our building program as it has been laid down and we will make ourselves strong and safe. Then, later, another conference can be called and we can see to it that at that conference the technically trained naval men who know what is best for our Navy will be sent to represent us or at least given a larger voice than our naval experts were given at the London conference.

Mr. President, referring again to Admiral Jones's statement, the question came up of possible operations in the western Pacific. He said:

Admiral JONES. Now, in regard to a campaign in the western Pacific. If, unfortunately, the necessity of such a campaign should come about, I can see no possibility of our conducting any such campaign without carrying our force to the western Pacific. That need now is imposed very largely upon us, of course, by the fact that we have actual physical possessions in that area. The question has often been brought up, if we had no physical possessions in that area, as to a modification of

the campaign that might be carried on in the Pacific. If we had no possessions there that we must look out for, there are questions that must be taken into consideration as long as we stick to announced national policies. One of our announced national policies in the past has been the "open door" in China. Another one we have stood for pretty well is the integrity of the Chinese Empire. Of course, as long as those are national policies announced by our country we must be prepared—the Navy is called upon to be prepared—to defend those policies. That again will necessitate the campaign in the western Pacific. We must move to that area, because there is no necessity for anyone there moving to our area.

Any campaign carried on in the western Pacific must be carried on in air and small surface and underwater attack, imposing again upon us the necessity for units that can take care of themselves by the greatest amount of protection possible within those units as well as offensive power.

I think I need hardly touch now on, because we all know, the fact that under the conditions of the Washington treaty the status quo of the bases in that area must be preserved; that is, the status quo existing at the time of the Washington treaty, 1922. There is another consideration that we must always keep in mind in moving our forces across the western Pacific to carry on in that area—that is the integrity of the line of supply to those forces, and that line of supply must reach from our western base; that is, Hawaii. That line is quite 5,000 miles from Hawaii to the Philippines. In keeping that line open, which must be done, it requires the strongest units that we are allowed to build under the Washington treaty.

Then again we have certain other outlying commitments that we must take care of, and we must consider the units necessary for that protection. That is, we have a certain commitment at the Panama Canal. Of course, in Hawaii also, and we must keep open and prevent raids, as far as possible, along our coast line and of our coast commerce, much of which commerce is carried through international waters, as you know.

In 1926 I was asked to go to London, where I had a conversation with the then First Sea Lord of the Admiralty, and I had quite a long conference with him, in which I explained our position very plainly.

The CHAIRMAN. Before you come to that, Admiral, was there anything done at the preparatory commission, anything definite, in 1926?

Admiral JONES. Yes, sir. As to the methods of effecting limitation, the British, the Japanese, and ourselves, and the delegation from Chile and the Argentine did generally agree on a method of limitation by categories and we were distinctly opposed to the global method.

Senator OGDEN. Will you explain that global method very briefly, Admiral?

Admiral JONES. The global method, sir, means allotting the total tonnage allowed to each nation, and within that total tonnage each nation is at liberty to build the types of units that she considers best adapted to her national defense. That means, if you fixed a total tonnage at 1,000,000 tons, the nation within that million tons—

Senator WALSH of Massachusetts. Is that displacement tonnage?

Admiral JONES. Displacement tonnage, standard tonnage; within that million tons each nation could distribute the units in capital ships, cruisers, destroyers, and submarines as she might see fit.

Our method of limitation by total tonnage in each category was to a certain extent what we pleaded as the weakness of the global method, but we believed and so stated that that weakness was brought down as low as it was possible to do within any limitation. The weakness that all of these delegations that I have just mentioned—the British, the Japanese, and ourselves—agreed on was that the global method did not do away with suspicion and uneasiness, because each nation would be watching what the other did in order to meet her which would be the case. But we contend that if we deal with each individual category and the tonnage in each individual category, it would bring down to the lowest point humanly possible such weakness.

The CHAIRMAN. No decision was reached at that preparatory commission?

Admiral JONES. No, sir. No definite method has yet been arrived at in the preparatory commission as to effecting reduction and limitation of armaments. I will touch on that a little bit later.

In 1926 I was asked to go to London, and I had a conference with the then First Sea Lord of the Admiralty in which I explained generally our position. I found agreement. He agreed with me generally in the reasons for our position, and stated at that time that there could be no question between Great Britain and ourselves as to policies in connection with the Navy; that our right of parity was unquestioned.

In 1927 I had very frank talks with the Japanese representatives, and I explained to them just as I have now the nature and possibility of any campaign in the western Pacific. The Japanese at that time claimed a 10 to 7 in auxiliary craft. I informed them that that would be impossible, that we could not accept, that my firm conviction was then, and the studies that we had made led me to believe that the 5 to 3 under the conditions existing was in reality a 5 plus. He was very frank in his statement.

The CHAIRMAN. That is, we would have 5 to their 5 plus in reality? Admiral JONES. In reality.

The plea is often made, not only by the British themselves but by many well-intentioned people in this country, that if Great Britain is cut off from the sea she would starve in a few months. The right of Great Britain to keep open her actual food lines is unquestioned, and certainly I have no intention or desire to question her right in any degree, but it must be remembered that the actual food lines leading into Great Britain are lines across the channel, across the North Sea, and into the Baltic, and so to all the north of Europe and through the Straits of Gibraltar into the Mediterranean, and all of the south of Europe, and from there through the Suez Canal to the East, where we could not seriously molest them even if we desired. In case of trouble in Europe the food lines reach across the Atlantic to Canada, the United States, the West Indies, and South America, which we would certainly have no desire to interrupt. The far-flung lines of communication over all the rest of the world are Great Britain's wealth lines, her commercial lines, but they can not be considered essential food lines, except as to their bearing on the economic life of Great Britain. The lines from Australia to South Africa and South America, of Australia to the Orient or Canada to the Orient, or from Great Britain to distant overseas points can hardly be considered Great Britain's food lines. It must be remembered that we, too, have lines of communication stretching all over the world that are equally necessary to our economic life, and many of them might properly be considered, to a certain extent, our food lines. Although our actual food lines are land lines they are long and must be served by proper and uninterrupted means of transportation.

I need hardly call your attention to the fact that manganese is essential for the manufacture of steel. We have in our territorial borders a wholly inadequate supply of manganese ore, and such as there is of comparatively poor quality. If we can not make steel or our ability to make steel is seriously curtailed, our whole railroad transportation system would become so crippled within a short time as to be unable to cope with the necessities of transportation.

Our whole motor transportation system depends upon an adequate supply of rubber. All of our rubber comes to us from overseas. Our great industrial food centers can not be supplied with foodstuffs by mule and ox carts and other such slow means of transportation. It is necessary that supplies so pour in continuously in sufficient quantities for actual needs to prevent physical want and suffering.

Therefore it will be seen that not only does our economic life depend upon free communication overseas but also our actual food lines to our great industrial centers are kept open only by our ability to import from overseas essential materials not produced in our country or produced in wholly inadequate quantities.

In that regard, Mr. Chairman, I may say, to adopt the viewpoint that has been put forward by a very eminent civilian student of naval affairs, Mr. William Howard Gardner, in an article that he wrote some time ago, called "Insular America," the United States is not a great continental empire as many people suppose, but in reality it is a great island empire between two seas. Its economic life, and in many cases the physical life, of the great cities and industrial centers is dependent upon the free communication overseas. Therefore we have a claim very much along the same line as Great Britain, that we shall be free to move over the seas, and to trade where and when our interests require it. The fact that we are a great island empire, placed between two broad oceans, it seems to me, entails upon us the necessity of certain characters of vessels as a part of our Navy, to keep those lines open.

I think that is as far as I need to go into that.

In the preparation of the instruction and agenda for the Geneva conference which was held in 1927 at Geneva very careful and complete studies of our situation and our needs were made by the General Board of the Navy. I was abroad at the time in Geneva, attending the meetings of the preparatory commission, when those studies were being made by the General Board, but was called home in May of that year to take part in the final preparation of the agenda for and instructions for the delegation that was to go to the Geneva conference.

The President had issued invitations to the five powers signatory to the Washington conference, to take part in this conference, but, as you know, France and Italy declined for reasons of their own.

When I got home I found that there had been very close cooperation between the Navy Department, the General Board, and other departments of the Government directly concerned. During my time in Washington I was particularly impressed with the very close cooperation between those departments and all concerned.

In the making up of agenda for the conference and the instructions for the delegation I found that the studies of the General Board had led to quite low figures on which to base our offers for a reduction and limitation of armaments at that conference, but we were enjoined, as we were at all conferences to which we had attended before, to firmly maintain the principles and ratios set up at the Washington conference.

The CHAIRMAN. The ratio of capital ships?

Admiral JONES. Yes, sir. The invitation issued by the President of the United States to the other signatory powers was to extend the principles of the Washington conference to all categories of ships not included in the limitation set by the Washington conference.

The CHAIRMAN. That is, the 5-5-3 ratio?

Admiral JONES. The 5-5-3 ratio.

When we went to Geneva the offer we made was from 250,000 to 300,000 tons in the cruiser category, 200,000 to 250,000 in the destroyer category, and 60,000 to 90,000 tons in the submarine category. But also accompanied with that, in the original statement, if I remember Mr. Gibson's statement, it was that the United States was prepared to come, in any tonnage limitation, as low as any other nation, remembering that we claimed the right to a navy second to none. In other words, we were ready to come to as low a limitation as the strongest sea power would come.

The CHAIRMAN. To as low a limitation in any category?

Admiral JONES. To as low a limitation in any category. That offer was made in the opening statement of Mr. Gibson, and he was the chief delegate at that conference. I myself was the other delegate at that conference, although before being appointed I had earnestly represented that it would be more advisable not to have a naval officer as a delegate at that conference; that it would be preferable to have the Navy only as advisers.

The causes of failure of that conference may be generally stated as the very large figures proposed by the British as their minimum necessities and their desire to standardize, very largely, in the type of cruisers most suitable to her condition and least suitable to ours. In other words, their insistence was on limiting down to a very low limit in vessels that we have consistently considered as most suitable for our needs, due to our geographical position, and so forth, but to place a very large limit on the other units which we could not accept.

That shows the great similarity between conditions existing at the Geneva conference and those existing at the London conference; but the difference is that at the Geneva conference our delegates refused to yield; they demanded that America stand on the policy it had adopted, and rather than surrender our national defense they came home. At the London conference, on the other hand, the best naval authorities of Great Britain and Japan advised their delegates to stand pat on their positions, while our delegates refused to follow the advice of our best naval opinion, and they gave way when they should not have given way. I believe that if they had not given way we should have won many points in that conference which we lost and which resulted in the treaty being so defective.

Admiral Jones, continuing, said:

I may say that in all of our previous relations that insistence of Great Britain has been maintained consistently, and our answer to it that we could not accept such conditions has been maintained consistently.

When asked by the chairman, "What were the lowest figures to which Great Britain came at the conference?" Admiral Jones replied:

Of course, the British dealt always in numbers. We translated those numbers into tonnages. The British at that time never came below their demand for 70 cruisers, and if in the cruiser tonnage category they counted aircraft carriers under 10,000 tons, and mine layers, they must insist on 75 units.

When we translated that into tonnage, that first tonnage worked out 600,000 tons, taking the maximum unit tonnage in the larger cruiser-gun class, and 7,500 tons as the maximum unit size of the 6-inch-gun cruisers which they gave us. We pronounced that as beyond any consideration.

The CHAIRMAN. Did we ever go up above 300,000, to which you have referred?

Admiral JONES. Yes, sir; we accepted as a basis of discussion 400,000 tons.

The CHAIRMAN. But without any agreement that we would actually accept that number?

Admiral JONES. If you wish, I have our statement in regard to that and can put it in the record now.

The CHAIRMAN. I wish you would put it in the record.

Admiral JONES. This is a statement that I submitted for the technical committee, as the senior American naval officer on the technical committee.

The CHAIRMAN. Perhaps we could put the statement in the record, and you might just give us a digest of it.

Admiral JONES. The statement itself is quite short.

The CHAIRMAN. Very well.

Admiral JONES. The position of the United States delegation is that we can not discuss cruiser tonnages in excess of 400,000 tons for the period ending December 31, 1936; that during that period we would require full liberty of action to build 10,000-ton cruisers up to a total of 250,000 tons, recognizing at the same time the full right of other powers to build cruisers of similar characteristics up to tonnages in accordance with the principles of the Washington treaty.

That we have no intention or desire to replace the 10 cruisers of the Omaha class carrying 6-inch guns, during that period, except in the case of loss of one or more of those units; that in an effort to meet the British viewpoint regarding limitation in the number of large cruisers, we are willing for this period, and without prejudice to future action, to limit our further construction within a total tonnage limitation of 400,000, to vessels of a similar tonnage to be agreed upon.

We do not see any reason for limiting the caliber of gun in the smaller class of cruisers to anything different from that in the larger class. We believe that each power should have full liberty in the design and armament of the smaller class of cruisers, should such a class be adopted for the period in question.

This statement of American policy is to be construed as our maximum effort to meet the British viewpoint.

We greatly prefer that within the tonnage limitation and within the characters of cruisers provided for in the Washington treaty each power enjoy full liberty of action.

We invite attention to the fact that our original proposal was for a total tonnage limitation in the cruiser class of between 250,000 and 300,000 tons. We still ardently desire that the total tonnage limitation of cruisers to be agreed upon shall be very much lower than 400,000 tons, as we believe that an agreement on such a figure would be an extremely useful service to the cause of limitation, if it is found possible to agree upon a figure materially lower than 400,000 tons, the American requirements regarding cruisers of the larger class could be revised downward.

Any limitation on the basis of the cruiser tonnage in excess of 400,000 tons we regard as so ineffective a limitation as not to justify the conclusion of a treaty at this time.

I will say that when that question of the possibility of the small cruiser came up the British spoke very often of the 10,000-ton 8-inch as being the *Leviathan* of the deep, that being essentially an offensive weapon, and the smaller cruiser being essentially a defensive weapon.

We maintained our stand that we would not consent to any tonnage of the smaller cruiser which would not permit the mounting of an efficient 8-inch battery. In that attitude the Japanese supported us, that there was no reason for dividing the cruiser category into two types by the size of the guns, although they did state that it was not their intention at that time to build more than their announced program in 8-inch-gun cruisers.

Senator ODDIE. Admiral, do you not think there is somewhat of an inconsistency in the statement of the British, that you have just referred to, that 8-inch-gun cruisers are offensive weapons?

Admiral JONES. Yes, sir.

Senator ODDIE. Is it not a fact that in case of war between powers that use 8-inch-gun cruisers, that these cruisers might be used for defensive purposes?

Admiral JONES. Certainly, sir.

Senator ODDIE. And in that connection, Admiral, and this is just a hypothetical question, a practical question; suppose that in actual warfare three 8-inch-gun cruisers of the enemy would attack a number of 6-inch-gun cruisers of ours. How many 6-inch-gun cruisers would it take to stand off those 8-inch-gun cruisers? In other words, what is the comparative strength of the 6 and 8 inch gun cruisers in actual combat at sea?

The CHAIRMAN. Isn't that a question, Admiral, that you are going to take up in the course of your statement, somewhat?

Admiral JONES. Somewhat, sir. But that is a very difficult question to answer. It is a question that we have worked over very hard, and I was going to come to that in a little while.

Senator ODDIE. That is all right. Isn't it true that the 8-inch-gun cruisers could stand off and bombard the 6-inch-gun cruisers, and the 6-inch-gun cruisers could not reach them with a single shot?

Admiral JONES. It depends, sir, upon the conditions under which they met. If they met coming out of low visibility, for instance, within, we will say, six or eight thousand yards of each other, it is a very grave question. But if we start from high visibility, where we could see the enemy coming, we will say, 15,000 yards, or between 15,000 and 25,000 yards, and the shooting is good, the probabilities are the 8-inch would stop them before they got within dangerous range.

The CHAIRMAN. In any event, you would prefer the 8-inch-gun ships?

Admiral JONES. Yes, sir.

Senator ODDIE. They are infinitely stronger than the 6-inch?

Admiral JONES. The 8-inch-gun ships, as I have been trying to point out all along, under the conditions of weather and other conditions that would probably be encountered, have the greatest power of survival, particularly in working in distant areas.

Senator ODDIE. In other words, one 8-inch-gun cruiser would be equivalent to several 6-inch-gun cruisers in actual combat, with good visibility.

Admiral JONES. I wouldn't wholly say that, sir, because there is a question of divided gunfire, some vessels being able to come in and just be operating under conditions of plain target practice, being not fired on themselves, whereas the 8-inch-gun cruisers would be under concentrated fire.

The CHAIRMAN. I hope the committee will let the admiral make his statement, and then we can ask him these questions afterwards.

Admiral JONES. It is very hard to say, sir.

I think I brought out so far, sir, that we have made a consistent stand against the imposition upon us of two types of cruisers.

When the Geneva conference failed and we came home, I, in connection with some other officers in the General Board, started studies for two or three months to try to reconcile, as far as possible, the two methods of limitation as between Great Britain and ourselves; that is, limitation by numbers in category and limitation by tonnage in categories. We studied over those for at least two or three months.

The CHAIRMAN. Beginning when?

Admiral JONES. Beginning about January 1, 1929, in taking the British cruiser fleets and our own, and attempting, as far as possible, to follow out what Senator OGDEN was asking just now. Taking all considerations in and trying to visualize all situations possible, we finally devised a system that we called that of equivalent tonnage, balancing off the two fleets in so far as we could. Taking in all the considerations, the actual conditions of the British fleet at that time, what they possessed and their actual published building programs, our own building programs and what we possessed, we came to the final question of finding what we called the equivalent tonnage in each fleet of cruisers, and basing the parity of the two fleets on that tonnage, and there grew up, I think, the idea of the yardstick.

That was in an effort to reach some basis on which we could find agreement to bridge over the time until 1930, which it was generally considered would be the expiration of the Washington treaty, so that at that time, having stabilized conditions if possible, we would approach the problem in a spirit that might grow up due to the fact that conditions had been stabilized for five or six years.

The CHAIRMAN. Were you successful, Admiral, in reaching a conclusion as to a yardstick?

Admiral JONES. We reached what we considered a basis that we might offer. That basis was reached entirely on our building program of twenty-three 8-inch-gun cruisers and the 10 *Omahas*, and what Great Britain would have with her building program that was announced at that time, which would have given her eighteen 8-inch-gun cruisers, the four *Hawkins* class, and their old tonnage which was largely laid down during the war, and by balancing that off to get as nearly as possible an equivalent tonnage that would be equal.

It was purely an empirical situation, sir, a formula that was empirical in nature that had two factors in it, to which only empirical numerical values derived from study of what was actually possessed could be given.

The CHAIRMAN. And based on that conclusion, how would that have left the two fleets in cruisers?

Admiral JONES. It would have left the United States with a cruiser program, as I have just outlined, sir, of twenty-three 8-inch-gun cruisers and the 10 *Omahas*. It would have left Great Britain, my recollection now is, with fifteen 10,000-ton 8-inch-gun cruisers, three 8,300-ton 8-inch-gun cruisers, four of the *Hawkins* class, which had 7.5-inch guns, two 7,500 or 7,000 6-inch-gun cruisers—the *Emerald* and the *Enterprise*—and about 19, if I remember, of her old war cruisers of from 4,000 to 5,000 tons.

I think, sir, I have now explained as far as possible that our stand has been a consistent one at all previous conferences; that we would accept as low a limitation as the strongest sea power, based on our method of limitation, which we believe to be the simplest and the most equitable, and that is the total tonnage in each category with the right of any nation to distribute that tonnage in the category as her needs, geographical situation, and strategic situation would seem to dictate.

Now, in that light I can not accept the charge brought against the Navy and you gentlemen of the Congress who have studied and understand the needs of the United States for the national defense, of being "big navy." On the contrary, the Navy, and you gentlemen of the Congress who have studied this Navy situation and have consulted the Navy, have not been for what we call a big navy. We have only stood for a Navy that from our studies we considered necessary to put us in a position that we have a right to; that is a Navy second to none.

Therefore, in that light I think the charge of "big navy" is unjust.

The CHAIRMAN. In all cases you have tried to bring down the limit in each category?

Admiral JONES. In every conference we have been to, sir, we have steadily maintained our desire for a low-limit basis. In fact, we have been instructed to do that and the Navy has accepted it in studies in cooperation with the other branches of the Government that are directly concerned. In our efforts at Geneva to get this limitation we were following out strictly instructions that were given us before we left, and we were backed up strongly by the administration at home.

At the preparatory conference in 1929 Mr. Gibson's statement before the commission stressed very decidedly reduction rather than a mere limitation of armament. In that statement he brought forward a new approach to the question by treating it on the equivalent-tonnage basis that I spoke of just now. That statement created quite a new atmosphere in the preparatory commission, because it seemed that there was

something that had not been considered before and might offer a solution to the problem that had been troubling them so long.

We were very desirous of explaining what we meant, giving the formula to all the other powers and letting them work out their own situation as regards other powers along those lines, and coming back to the preparatory commission to see if any common basis could result on which the method of limitation might be based. But that was not done.

The CHAIRMAN. The committee will come to order. Admiral Jones, when the committee adjourned this morning, you were explaining to us the steps that you took to obtain a yardstick for an agreement with Great Britain.

Now, will you tell us what happened thereafter, up to the time of the meeting of the conference in London, as far as you yourself are concerned, or as far as your knowledge goes?

Admiral JONES. That again, Mr. Chairman, is somewhat of a long story. During the spring and early summer there was still a good deal of question backward and forward as to a yardstick and how to use it.

The CHAIRMAN. Did you finally reach some conclusion as to the yardstick that could be used?

Admiral JONES. Yes, sir. I submitted tables showing what would be the result of using the yardstick based on the actual conditions existing at that time as to tonnage built, building, and authorized, but so far as I know those tables have not been used.

The CHAIRMAN. The yardstick had to do entirely with ships built, building, or authorized, had it not?

Admiral JONES. Yes, sir. That yardstick we worked out was as between Great Britain and ourselves and Japan, taking into consideration the actual conditions of ships built, building, and authorized—published, I mean.

The CHAIRMAN. And it was not supposed to apply to any vessels that might have to be built thereafter?

Admiral JONES. It was generally conceded by me and all that studied it that the yardstick would not apply to unknown conditions of building in the future. In fact, I had some correspondence at that time with some authorities, notably the head of the department of naval architecture and engineering of the Massachusetts Institute of Technology, in which he took very strong issue with the possibility of using a yardstick of that kind in the calculation of naval strength in unknown building programs.

In the early summer of last year—just when, I don't remember—negotiations—I wouldn't say negotiations, but telegraphic correspondence was started between the United States and Great Britain with regard to the possibility of a conference for the reduction and limitation of armaments.

The CHAIRMAN. Commencing when?

Admiral JONES. I don't remember just the date, sir, but it was—

The CHAIRMAN. After the 1st of July, or before?

Admiral JONES. It must have been after the 1st of July, but I don't remember just the date.

The CHAIRMAN. Admiral Jones, in the Committee on Foreign Relations this morning a letter was put in the record, dated June 19, from you to the Secretary of the Navy, in relation to negotiations with Great Britain. I hand you the exhibit—the letter that was put in this morning. I might state that I have not been able to secure a copy of it as yet, and I have therefore asked the stenographer who took down the records in the Foreign Relations Committee to bring the exhibit of the Foreign Relations Committee over so that we could use it here.

Admiral JONES. As I remember the letter—

The CHAIRMAN. I think I will read it, Admiral, to the committee.

WASHINGTON, D. C., June 18, 1929.

The honorable the SECRETARY OF THE NAVY,
Washington.

MY DEAR MR. SECRETARY: In regard to the matters referred to in our conversation of June 17, it seems to me advisable that I put my views and certain data that are required in the form of a letter to you, rather than in a purely official communication.

With your permission, I will begin with a somewhat lengthy foreword that may serve as a background to the whole discussion of the reduction and limitation of naval armaments, particularly as between Great Britain and ourselves. It is possible that there may be some misapprehension of the real situation as regards the question of parity in naval armaments between Great Britain and the United States which should be cleared away in a general consideration of the subject.

In considering the question of sea power rather than essentially naval combat units, as between Great Britain and ourselves, it should be recognized a priori that the attainment of actual parity between the two countries is complicated by so many factors as to render such attainment practically impossible by any agreement under present conditions. The possession by Great Britain of well-placed bases along nearly all the important commercial sea lanes of the world and, in addition, her possession of a great preponderance of merchant tonnage easily convertible into auxiliary cruisers give Great Britain such an inherent initial advantage that parity with her in sea power could be realized only by our having a great preponderance of actual combatant

tonnage. Under no circumstances now known would Great Britain deprive herself of her bases by agreement nor consent to reduce her merchant marine.

It would seem to be useless to propose to Great Britain, as a condition precedent to any agreement, either of the two alternatives, namely (1) that we should be allowed a decided preponderance of combatant tonnage, or (2) that she should give up her inherent initial advantage by transfer to us of certain bases and by reduction of merchant marine. Therefore, the only practical basis on which we can predicate an agreement is that of parity in actual combatant tonnage, which has been the attitude of the United States in all conferences and conversations between representatives of the two countries. While the great advantage accruing to Great Britain in her possession of the collateral elements of sea power above mentioned has been given full consideration, it has been as imponderable rather than as calculable elements in all our proposals as to allotments of actual combatant tonnage. In other words, we have not advanced the claim for preponderant combatant tonnage over Great Britain, but have merely insisted on as nearly an equitable parity in such tonnage as can be arrived at under conditions actually existing.

It may not be inappropriate at this point to invite attention to what seems to me to be the real situation in regard to Great Britain's essential food lines and her demand for cruisers to insure their integrity. The plea that if she were shut off from the sea it would mean starvation in a short while for her whole population is very convincing to her people and appealing, apparently, to a large section of ours. But if this plea is examined from the standpoint of actual geographical conditions a certain fallacy will become apparent, certainly in so far as we are concerned. The essential food lines of Great Britain itself lead across the channel and North Sea to northern continental Europe and through the Straits of Gibraltar into the Mediterranean to southern continental Europe and on through the Suez Canal to the East, or they lead across the Atlantic to North and South America and the West Indies. In the former case her food lines could not be seriously menaced by us even if we possessed a decidedly preponderant cruiser strength. In the latter case, naturally, it would be decidedly to our interest that they be not interrupted. Therefore it seems to me that as between Great Britain and ourselves the integrity of her essential food lines need not enter the problem.

The situation is materially different in the case of the far-flung sea lines of commerce, along which the volume of our trade is as great as hers and is rapidly becoming even greater; in addition to which there are many lines leading into our ports which are practically food lines for us in that raw materials absolutely essential to our land-transportation facilities flow over them. It seems to me that this situation renders our demand for as nearly an equal opportunity on the high seas as it is possible to attain unanswerable.

In order that a certain background may be given to the various methods of effecting reduction and limitation of armaments that have been proposed and that have led up to the suggestion of an approach by the method of evaluated tonnage I venture to give a general outline of methods discussed at various meetings of the preparatory commission.

The following five methods were considered by subcommission A of the preparatory commission and are included in the report of the subcommission to the preparatory commission for further consideration with a view to adopting an agenda for a final conference on reduction and limitation of armaments:

Method 1: Total (global) tonnage.

Method 2: Total depreciated tonnage.

Method 3: Limitation by classes: Application A, tonnage by classes. Application B, numbers of ships by classes. Application C, total tonnage of capital ships, total tonnage of aircraft carriers, total tonnage of auxiliary surface vessels (cruisers and destroyers), total tonnage of submarines.

Method 4: Naval material in reserve.

Method 5: Personnel.

Methods 4 and 5 may be considered as subsidiary to each of methods 1, 2, and 3, but are not in themselves primary methods of reduction and limitation of naval armaments.

Method 1, reduction and limitation by total tonnage, as originally proposed, was not acceptable to the delegations of the United States, Great Britain, Japan, Argentina, and Chile in view of the manner of its application as advocated by the proponents of this method. In an effort to obviate the objections raised by the delegations of the above-named countries, the French delegation, at a later meeting, submitted the proposal now known as the French method of recognizing the division into categories, but of transfer of tonnage from one category to another. This proposal, as subsequently modified by unofficial conversations between the French representatives and ourselves and now known as the modified French proposal, was mentioned by Ambassador Gibson in his opening statement at the sixth meeting of the preparatory commission. It is in effect a compromise between methods 1 and 3, but does not obviate the difficulties of practical application inherent in each in the matter of dealing with actual tonnage figures. Under the improbable condition of two navies starting from zero in all categories to build up

under an agreed-upon limitation and relative strength, the entry of figures of total tonnage and tonnages of categories in the appropriate columns would be merely a mechanical process. But in the case of navies in which there is in existence actual tonnage consisting of units in all categories of varying sizes, gun caliber, ages, etc., and also tonnage in various stages of construction, the problem of application will be complicated by the same factors that have been found so difficult of reconciling in the past.

Method 2, limitation by total depreciated tonnage, may be dismissed as not in reality a method of reduction and limitation, but rather as an interesting and ingenious method of applying the age factor and of prescribing rules for replacements that are applicable to any basic method of reduction and limitation.

Method 3, limitation by classes, was accepted by the delegations of the United States, Great Britain, Japan, Argentina, and Chile as the most logical and just method. Three applications of this method are set forth in the report of subcommission A. Application A, tonnage by classes, was submitted by the delegation of the United States and agreed to as the most acceptable by the delegations of Argentina and Chile; application B, numbers of ships in classes, was submitted by the British delegation; application C, total tonnage of capital ships, total tonnage of aircraft carriers, total tonnage of auxiliary surface vessels, total tonnage of submarines, was submitted by the Japanese delegation. It will be noted that the last is the same in principle as that submitted by Mr. Hughes at the Washington conference, and differs from application A only in the method of dealing with auxiliary surface vessels—that is, cruisers and destroyers—by lumping the tonnage of these two classes. This method is not considered as desirable as either application A or B in that in lumping tonnage of cruisers and destroyers the possibility of competition in building in those classes may be envisaged. In other words, the same objections, but in less degree, would exist as set forth in regard to method 1, limitation by total tonnage.

Each of the applications A and B has certain difficulties in practical execution if used by itself, particularly in dealing with existing tonnage and in meeting more or less legitimate demands imposed by geographical location, strategic situations vis-à-vis other navies, national commitments, and other considerations, but a combination of the two in some form would seem to be possible.

The following methods of considering and reconciling the two applications are submitted for consideration:

(a) Limitation of the total tonnage and also the total number of units in each class.

(b) In order to take cognizance of conditions actually existing as regards tonnage possessed and tonnage contemplated in authorized and published building programs, consideration may be given to the possibility of evaluating the units of which certain categories are composed with a view to arriving at a practical parity or at an established ratio in categories in which there is wide divergence in unit characteristics, such as displacement, size of gun carried, and age.

As an example of (a), it is assumed that countries A and B have agreed to parity in naval strength as regards all classes of combatant units. Country A decides that in order to meet her commitments she will require, say, X tonnage of cruiser strength and that her geographical and strategic position demands maximum sea endurance, maximum caliber of gun, and the maximum protection possible within the maximum tonnage allowed for a cruiser. On the other hand, country B decides that in order to meet her commitments she will require Y units, some of maximum tonnage, others of lesser tonnage; that is, due to her particularly strategic position as to outlying bases, etc., a greater number of smaller units will be more advantageous for her purpose than a smaller number of maximum size. Country A could build as her needs dictated up to the full tonnage allowed in units of maximum tonnage, country B, on the other hand, could so divide her tonnage allowance as to devote a certain number to the maximum size allowed and distribute the remainder of the allowed tonnage in order to produce the number of units desired. Under this arrangement each country would be at liberty to allocate both tonnage and numbers as her particular needs would seem to require. It is recognized that there would be a tendency for both countries to adopt generally the same building programs, devoting the allowed tonnage to the most powerful units available.

This general method was proposed at the 3-power conference, but no basis of agreement could be found, and apparently it may not be possible to find a basis of agreement which would result in a reduction of naval armament rather than in an increase.

In the effort to find some compromise that would furnish a solution of the problem and at the same time would not seriously prejudice the vital interests of either country during the life of an agreement, many methods of approach were studied. Some method of evaluating units by giving consideration to size, armament, age, etc., seemed to offer at least a hopeful avenue of approach. By the construction of many tables using many different assumed values for various factors in order to compare relative strengths of cruiser fleets the compromise method suggested in (b) developed and a tentative formula was evolved. In applying this method great difficulty must be anticipated

in reaching a final agreement on the numerical values to be given to the factors which enter into the evaluation of the individual units of the category in order to arrive at the total evaluated tonnage of the category.

In attempting to assign numerical strength to factors the following considerations should be given weight:

1. DISPLACEMENT FACTOR

The displacement factor naturally will be the tonnage of the unit considered expressed in standard tons calculated in accordance with the provisions of the Washington treaty. The displacement factor should properly include all elements that would enter into the design of the vessel, such as speed, protection, sea endurance, habitability, etc. These elements enter into the displacement of the unit in view of the fact that if the standard tonnage of the unit be fixed they are governed by the size of the ship in that any increase or decrease of one element must be at the sacrifice or enhancement of the other elements; for example, a marked increase of speed will demand a marked increase in the horsepower of the motive machinery, which entails marked increase in weight, and such weight must be gained at the sacrifice of weights that might otherwise be assigned to protection, sea endurance, etc.

2. GUN-CALIBER FACTOR

In arriving at a numerical evaluation to be assigned to the gun-caliber factor there would be a natural tendency to consider a gun duel between two units having different calibers of guns. While this consideration necessarily enters into the calculations, it should not be given much weight in view of the fact that many other considerations are of greater importance. It must be remembered that there are conditions under which a 6-inch-gun unit would be of more value than an 8-inch-gun unit. For instance, in a fleet action a 6-inch-gun unit would be of much more value in protection against destroyer and submarine attack than a larger vessel, due to the greater rapidity of fire of a hand-loading 6-inch gun over a power-loading 8-inch gun, and also of the much greater maneuverability of the smaller unit. It is a fair statement that a 6-inch hand-loading gun can fire at least twice as many aimed shots in a given time than a power-loading 8-inch gun, and that the 6-inch projectile is sufficiently effective against destroyers and submarines to accomplish their destruction.

The number of units available within a given total tonnage in the smaller 6-inch-gun units offers an additional advantage over the 8-inch-gun unit for antidesigner and antisubmarine operations.

The possession of well-spaced bases along the lines of communications of the world and within operating areas tends to add materially to the advantage of the 6-inch-gun unit in that the smaller unit may operate in areas controlled by bases and along the shorter lines between bases. Properly equipped bases within the areas of operations make it possible to employ in those areas a greater proportion of existing units, and therefore flock attack may be brought against a single unit or smaller number of units operating without bases. In this sense bases are the equivalent of ships.

The greater range of the 8-inch gun as compared with the 6-inch gun is often adduced as giving a preponderating offensive value to the 8-inch-gun cruiser. This claim, while possessing a certain value, should not be exaggerated. The ranges of modern guns, both 6-inch and 8-inch, are so great that at extreme ranges the control of fire is hardly possible from observation stations on the vessel itself, therefore depending on the control of fire from the air. In view of the fact that the larger 8-inch-gun unit can not carry protection against a 6-inch gun, the advantage lies somewhat with the 8-inch gun, due to its greater range, but this advantage rapidly disappears when the two units come within range of gunfire control in view of the much greater rapidity of fire of the 6-inch gun and the fact that its destructive effects are sufficient to properly disable an 8-inch-gun unit if sufficient hits are made. In view of the above, the percentage evaluation given to the gun caliber factor for the 6-inch gun should be not far from unity.

3. AGE FACTOR

The age factor enters into the problem only in the case of existing tonnage. In arriving at a numerical evaluation of the age factor, it must be remembered that in case of any agreement the obsolescence of individual units is not so much governed by new construction and improvements in offensive qualities as in the case where no agreement exists. In other words, in case of agreement, a certain stable condition as regards the military characteristics of the units will result, so that deterioration due to age will be due to natural depreciation rather than a tendency to obsolescence. Therefore, the numerical value assigned to the age factor should be very near unity for a certain number of years after completion and then decline slowly until the agreed-upon life of the unit is reached.

In all of the above the situation as between Great Britain and ourselves has been the principal consideration in mind, but it should be recognized that other nations are vitally concerned in any methods that may be proposed. While the settlements of pending naval questions between Great Britain and ourselves would be most desirable an agreement as to any reduction and limitation of naval armaments that does not include Japan would, of necessity, be so elastic in its provisions as

to practically nullify such an agreement. Even in the 3-power conference it was necessary to admit the inclusion of a provision covering a situation in which a signatory considered herself menaced in any category by the building program of a nonsignatory power. Great Britain insisted on this in view of her situation vis-à-vis European countries and Japan insisted on it in view of her situation vis-à-vis Russia and China. Furthermore, any such agreement would inevitably tend to create the suspicion of at least an offensive and of defensive understanding, if not an alliance, between the two powers making such an agreement.

In regard to paragraph 4 of the accompanying letter, under the assumption "that we complete our present authorized cruiser program, then what units of the British cruiser establishment would be its equivalent," the following table, pages 8 and 9, forming part of this paragraph, shows what, in my personal opinion, would constitute a practical parity between the two fleets. It is assumed that tonnage over 20 years of age will be scrapped upon completion of new tonnage:

United States					
Name of ship	Displacement in standard tons	Number guns on broadside			Weight of metal thrown per unit of time
		8-inch	6-inch	Age during 1934	
Class No.—					
46.....	10,000	9	—	0	
45.....	10,000	9	—	0	
44.....	10,000	9	—	0	
43.....	10,000	9	—	0	
42.....	10,000	9	—	0	
41.....	10,000	9	—	1	
40.....	10,000	9	—	1	
39.....	10,000	9	—	1	
38.....	10,000	9	—	1	
37.....	10,000	9	—	1	
36.....	10,000	9	2	2	
35.....	10,000	9	—	2	
34.....	10,000	9	2	2	54,340
33.....	10,000	9	—	2	
32.....	10,000	9	—	2	
31.....	10,000	9	—	2	
Louisville.....	10,000	9	—	3	
Chicago.....	10,000	9	—	3	
Augusta.....	10,000	9	2	3	
Northampton.....	10,000	9	2	4	
Chester.....	10,000	9	—	4	
Houston.....	10,000	9	—	4	
Pensacola.....	10,000	10	—	4	
Salt Lake City.....	10,000	10	—	4	
Memphis.....	7,050	—	8	9	
Marblehead.....	7,050	—	8	10	
Trenton.....	7,050	—	8	10	
Raleigh.....	7,050	—	8	10	
Cincinnati.....	7,050	—	8	11	16,800
Concord.....	7,050	—	8	11	
Detroit.....	7,050	—	8	11	
Richmond.....	7,050	—	8	11	
Milwaukee.....	7,050	—	8	11	
Omaha.....	7,050	—	8	11	
Total (33 ships).....	300,500	299	80		71,140

British Empire					
Name of ship	Displacement in standard tons	Number guns on broadside			Weight of metal thrown per unit of time
		8-inch	7.5-inch	6-inch	
Northumberland.....	10,000	8	—	—	21
Surrey.....	10,000	8	—	—	2
Exeter.....	8,400	6	—	—	3
York.....	8,400	6	—	—	4
Norfolk.....	10,000	8	—	—	4
Dorsetshire.....	10,000	8	—	—	4
Sussex.....	10,000	8	—	—	5
Shropshire.....	10,000	8	—	—	5
Devonshire.....	10,000	8	—	—	5
London (number ships, 18).....	10,000	8	—	—	5
Canberra.....	10,000	8	—	—	6
Australia.....	10,000	8	—	—	6
Berwick.....	10,000	8	—	—	6
Suffolk.....	10,000	8	—	—	6
Cumberland.....	10,000	8	—	—	6
Cornwall.....	10,000	8	—	—	6
Kent.....	10,000	8	—	—	9
Efingham.....	9,770	—	6	—	9
Frobisher (4 ships).....	9,800	—	6	—	10
Hawkins.....	9,800	—	6	—	13
Vindictive.....	9,930	—	5	—	16
Class.....	7,500	—	—	—	1
Do.....	7,500	—	—	6	1
Enterprise.....	7,580	—	—	6	8
Emerald.....	5,550	—	—	6	8
Adelaide.....	5,100	—	—	5	12
Dionede.....	4,850	—	—	6	12
Despatch.....	4,850	—	—	6	12
Capetown.....	4,850	—	—	5	12
Durban.....	4,850	—	—	6	13
Delhi.....	4,850	—	—	6	15
Cairo (20 ships).....	4,200	—	—	5	15
Calcutta.....	4,200	—	—	5	15
Colombo.....	4,200	—	—	5	15
Total.....					28,400

British Empire—Continued

Name of ship	Displacement in standard tons	Number guns on broadside			Age during 1934	Weight of metal thrown per unit of time
		8-inch	7.5-inch	6-inch		
Dunedin.....	4,850			6	15	
Dame.....	4,850			6	16	
Dauntless.....	4,850			6	16	
Dragon.....	4,850			6	16	
Carlisle.....	4,200			5	16	
Coventry.....	4,290			5	16	
Curacao.....	4,290			5	16	
Cardiff.....	4,290			5	17	
Curlew.....	4,290			5	17	
Ceres.....	4,290			5	17	
Total (45 ships)	332,706	140	25	127		72,620

In regard to a hypothetical conflict of the two fleets there are many possible assumptions within the scope of the problem as I understand it that may be made, but I shall confine myself to the following three, which seem to me outstanding, viz:

(a) An actual engagement between the two cruisers' fleets as shown on pages 8 and 9 as whole on each side.

(b) A campaign in which cruiser command of the sea would be sought by actual engagements between major units, while smaller units could be employed for the protection of distant trade routes.

(c) A campaign in which movements over seas of main fleets and transports are to be carried out, with the resultant necessity of protecting lines of supply.

Under (a), assuming equal ability in the handling of each fleet and that it is a question only of punishing power and survival, it is my personal opinion that the two fleets, as shown in tables on pages 8 and 9, would be equal in fighting strength.

Under (b) it is my personal opinion that the advantage would lie with us in the first phases, with the eventual conditions in doubt.

Under (c) it is my personal opinion that the advantages would lie generally with Great Britain in that her more numerous smaller units would be very efficient with the fleet itself, thus releasing a greater proportion of larger units for protecting the supply lines.

In regard to the last paragraph of the accompanying letter, the above table on pages 8 and 9 gives the information desired.

In regard to the accompanying questionnaire the attached tables and graphs are submitted.

Table A gives the information desired in paragraphs 1 and 2.

Table B gives the information desired in paragraph 3.

Graph 1 gives a curve showing the estimated decrease in effectiveness as desired in paragraph 4. By reference to the curve it will be seen that the relative value at the end of—

(a) Five years will be 0.95.

(b) Ten years will be 0.79.

(c) Fifteen years will be 0.50.

It will be noted that the curve in graph 1 has been drawn in accordance with the assumptions prescribed in the questionnaire, but it should be recognized that while a mandatory scrapping should be prescribed the relative values of ships do not fall to zero at such age. More or less extensive repairs and alterations may well restore a ship 10 or 15 years old to very nearly her original condition, except for a certain deterioration of hull and structural parts. Obsolescence of combatant vessels is due to improvement in design of new ships that permit the incorporation of scientific developments of all kinds and due not to mere age. In the case of unrestricted building, obsolescence may result in a very short time from the introduction of new types, as was the case when the first dreadnought was produced.

In case of agreements, however, under which conditions are more or less stabilized and new construction is limited, obsolescence as a factor is much reduced. In view of this it is suggested that the curve of depreciation should be drawn under the assumption of full value of 100 at launching and 50 per cent or 60 per cent at mandatory scrapping age, which has been generally fixed in all conferences at 20 years for cruisers.

The values assigned to the age factor should be based on an accepted curve of depreciation. Attached graph No. 2 is submitted as my personal estimate of what should constitute an equitable age curve.

In regard to paragraph 5 of the questionnaire, it is considered impossible to estimate the equivalent of 10 guns of 8-inch caliber in guns of 6-inch caliber. It may be said that ten 6-inch guns can deliver about the same weight of aimed projectiles in a given time as ten 8-inch guns, due to the much greater rapidity of fire of the former. The range of the 8-inch gun is greater than that of the 6-inch gun, but at ordinary battle ranges the 6-inch-gun projectile is effective against any protection possible in a cruiser of maximum allowed displacement. The values assigned to the gun-caliber factor should be based on the units carrying the gun and not on the gun itself. In this connection attention is invited to remarks on pages 6 and 7 of this letter.

In my personal opinion the values assigned to the gun-caliber factors should vary within limits according to the size of the units carrying the gun. Graph No. 3 shows such a curve as I consider equitable for 6-inch-gun units, counting 8-inch-gun units 100.

In conclusion I earnestly recommend that this whole subject be given full and exhaustive study by the General Board of the Navy in order that an opinion may be obtained which shall be accepted as representing the Navy policy in the premises.

Very respectfully,

HILARY P. JONES,

Rear Admiral, United States Navy.

The tables, Admiral Jones, assume a Navy on our part of twenty-three 10,000-ton 8-inch-gun cruisers and ten 7,050-ton cruisers of the *Omaha* class, making in all 300,000 tons, and it gives the British seventeen 8-inch-gun ships, and four—

Admiral JONES. There ought to be 18.

The CHAIRMAN. Yes. It gives them fifteen 10,000 and three 8,300-ton 8-inch-gun ships, and four of the *Hawkins* class, varying from 9,770 tons up and 21 of the smaller class cruisers.

Admiral JONES. No; two are larger, the *Emerald* and the *Enterprise*. The CHAIRMAN. Nineteen of the smaller ships, and the *Emerald* and the *Enterprise*?

Admiral JONES. Yes.

The CHAIRMAN. Giving her a total of 45 ships with a total of 332,706 tons.

Admiral JONES. Forty-five; that is right.

The CHAIRMAN. Now, Admiral, will you comment on that letter and explain it to us?

Admiral JONES. Mr. Chairman, that letter was in answer to a letter from the President to the Secretary of the Navy, inclosing some questions on which the President wanted my confidential and personal opinion, and inclosing certain questions that he wanted answered under varying assumptions that he gave.

This whole situation at that time, as I remember it and understood it, was in relation to the equivalent tonnage that we had worked out by what was known generally then as the yardstick, in order to find out what would be, applying this formula, the equality of equivalent tonnage as between Great Britain and the United States and the ratio of 5-3 between the United States and Japan.

As I explained this morning, that formula is an empirical one, and the values assigned to the gun-caliber factor and the age factor are also matters of personal opinion or trial and error, if possible to obtain, and so become empirical.

The CHAIRMAN. Why was the number of the British cruisers reduced to 45?

Admiral JONES. It was generally in pairing off the two fleets as they actually existed, and taking the published programs of built, building, and authorized, and in pairing those off. By working it backwards and forwards, trying to arrive at some number of ships that with this formula, using this formula with the value given to the factors, would produce parity in tonnage.

The CHAIRMAN. It was before Great Britain had sent over any statement of what her minimum demands would be?

Admiral JONES. Oh, yes; as I remember it, this was before the correspondence was begun. This was all following out what I told you this morning about what we were trying to do from the 1st of January, 1929, that was to find some basis on which we could approach the problem with the hope of reaching an agreement so as to stabilize conditions up to December 31, 1936.

I find that on the 29th of May I wrote a memorandum in regard to these factors to be used, and in this letter it was taken just word for word from that.

The great question that presented itself to us at that time was that if we presented this method of reaching equivalent tonnage to the British, for instance, for consideration, the first tendency of the British would be to fix a valuation for the 6-inch-gun unit very low, to reduce it probably to something like 50 per cent, which, if introduced in that formula, would give her a tonnage possibly nearly double or more than what we would have, and, therefore, I was trying to show that the argument to bring down the value of the 6-inch-gun unit to a very low figure, as they have always tried to do, was not valid. So in this treatment of the gun-caliber factor I was trying to show that when you are dealing with the 6-inch-gun unit there are so many other factors to be taken besides merely the gun itself that the value given to the unit carrying the gun ought to be up somewhere in the neighborhood of unity, and all of the things that I say there I still hold to, except where I mention the protection possible in an 8-inch-gun unit against a 6-inch gun.

Since that time the design, as I understand it, of the 8-inch-gun unit in the unit carrying the 8-inch gun has admitted of a greater protection than existed in the units I was dealing with at that time, within my own knowledge. I think at that time, so far as I knew, the 8-inch-gun units that we had did not have protection against the 6-inch gun at a pretty big range—say up to 15,000 yards—but since that time the protection possible in that unit has increased very materially, as I understand.

When this letter was written I was following out studies and treating with a situation wholly different from what has developed since. But there is no suggestion in this letter anywhere that we should be brought to the 6-inch-gun unit. On the contrary, I think it shows very plainly that we should not be brought to the 6-inch-gun unit, where, I say, that the possession of well-spaced bases along the lines of communications of the world and within operating areas tends to add materially to the advantage of the 6-inch-gun unit in that the smaller unit may operate in areas controlled by bases and along the shore lines between bases. Properly equipped bases within areas of operations make it possible to employ in those areas a greater proportion of existing units, and, therefore, flock attack may be brought against a single unit or small number of units operating without bases.

We could also carry that on, if you wish, sir, to increasing very materially the advantage of the armed merchant ship carrying 6-inch guns.

Nowhere in this was it ever my intention to weaken or to change in any way the demand that I felt we had a right to make for a larger gun unit.

The CHAIRMAN. But if the 6-inch gun had the same efficacy as the 8-inch gun, would you say that a vessel of 10,000 tons having ten 6-inch guns was the equal of a vessel of 10,000 tons having ten 8-inch guns?

Admiral JONES. Why, no, sir; I would not say so. I have not said so.

The CHAIRMAN. I mean, could that be construed from your letter?

Admiral JONES. I said, Mr. Senator, that we have never dealt with the actual—I have tried to get rid of dealing with the actual gun duel. I have tried to bring out everywhere I could, sir, that we need the larger unit and the larger gun for unit operations in these distant areas. I don't think there is anything in this letter that will show that an 8-inch-gun unit has a better chance of survival when working far away from its base than a 6-inch-gun unit, measured by flock attack that may be brought against it.

The CHAIRMAN. Now, what are the purposes of a 6-inch-gun ship, as far as the fleet is concerned?

Admiral JONES. It is in the protective screen, antedestroyer, and ant submarine attack where the rapidity of fire—and it will be in close range, of course—is a very material consideration, because a 6-inch-gun projectile against a destroyer or submarine may be effective enough to put either out of action.

The CHAIRMAN. Has any particular number of 6-inch-gun ships ever been established as a proper number for a fleet made up of the capital-ship units that we have?

Admiral JONES. Well, it can be done, sir, in the tactical formation of the fleet, and my recollection is that in our tactical formation about 15 units are required in the screen.

The CHAIRMAN. And that is the 15 units that were recommended by the General Board in their 21-cruiser recommendation?

Admiral JONES. We would have gotten the 15 units, sir, by that recommendation, but I would very much prefer, and I think the General Board would very much prefer, to have struggled along with the 10 units that we did have to get the full 23 of the 8-inch-gun cruisers, because, if considered necessary, you could put some of those 8-inch-gun cruisers into the screen. The secondary battery on an 8-inch-gun cruiser of 5-inch antiaircraft guns is very excellent antedestroyer and submarine protection.

The CHAIRMAN. Now, for use outside of the fleet, is there any question in your mind about the value of a 8-inch-gun cruiser as against a 6-inch-gun cruiser?

Admiral JONES. To my mind, Mr. Senator, there is no question, sir, that where you have got to operate and carry on unit operations in distant areas, where the vessel must be operating possibly alone, or conveying groups of merchant ships through infested areas, there is no question in my mind, sir, that the 8-inch-gun cruiser—the large cruiser of 10,000 tons—is far superior to the 6-inch-gun cruisers.

The CHAIRMAN. Now, you have stated in here, I think, that the unit value of the two types of guns should be considered about the same.

Admiral JONES. I said on this formula, sir, for arriving at equivalent tonnage, the value of the gun-caliber factor should be not far from unity.

The CHAIRMAN. Well, if that is true on this formula, why would it not be true in general?

Admiral JONES. Because, Mr. Senator, I have tried to explain, sir, that in that formula and in comparing those tables, we have tried to take as far as possible all of the uses to which the unit is going to be put.

Now, it is almost impossible—under certain conditions it may be that the unit must be with the fleet all the time, sir; under certain conditions it may be operating in distant areas. So, taking it all around, for all of the uses that it is possible for the unit to perform in time of war, I should say, sir, that the value given to the 6-inch-gun unit ought not to be far from unity.

The CHAIRMAN. But, then, would a fleet that was made up of cruisers of 6-inch guns and the same tonnage as a fleet made up of 8-inch guns have the same value?

Admiral JONES. Well, if you work back to equivalent tonnage, sir, and you give the valuation to these, sir, you can get a parity in equivalent tonnage with one fleet made up of 8-inch-gun cruisers and the other fleet made up of 6-inch-gun cruisers. That equivalent tonnage that we are trying to get there, Mr. Senator, as I said before, is entirely empirical.

The CHAIRMAN. But the fleet that was made up entirely of 6-inch-gun cruisers would have a considerably larger tonnage than the fleet that was made up of entirely 8-inch-gun cruisers.

Admiral JONES. Yes, sir.

The CHAIRMAN. Under this plan.

Admiral JONES. Yes, sir. It depends upon the value you give the factors.

The CHAIRMAN. So you would not say that 10,000 tons of 6-inch-gun cruisers would equal 10,000 tons of 8-inch-gun cruisers in this plan.

Admiral JONES. Let us see what you mean: 10,000 tons of 8-inch-gun cruisers in this plan, sir, would count 10,000 tons.

The CHAIRMAN. And 10,000 tons of 6-inch-gun cruisers would count what?

Admiral JONES. It depends entirely upon what value you would give the factors. If the British gave their value to the gun-caliber factor it would probably amount to about 5,000 tons or 4,000 tons.

The CHAIRMAN. Amount to what?

Admiral JONES. Would probably amount to 4,000 tons or 5,000 tons.

The CHAIRMAN. Ten thousand tons of 8-inch-gun cruisers would amount to what in 6-inch-gun cruisers?

Admiral JONES. I thought you said taking 10,000 tons.

The CHAIRMAN. Of 8-inch-gun cruisers.

Admiral JONES. All right, sir. It would count 10,000 tons. Now, 10,000 tons of 6-inch-gun cruisers, applying that factor, may come down to 4,000 tons or 5,000 tons, depending on the value you give the factor. But if you wanted to get the equivalent value of 10,000 tons of 8-inch-gun cruisers—

The CHAIRMAN. That is what I was trying to get at.

Admiral JONES. If we use that formula, depending on the value you give the factors, it may go up to 18,000 or 20,000.

The CHAIRMAN. So that in evaluating the different factors you held that so far as gun caliber was concerned that would have to be taken about equal for the purpose—

Admiral JONES. Not far from unity.

The CHAIRMAN. Yes; not far from unity, for the purpose of getting a yardstick evaluation.

Admiral JONES. Yes, sir. May I give you the formula—

The CHAIRMAN. But as to the others that are considered besides gun caliber, they would not be on a basis of unity.

Admiral JONES. I did not catch that.

The CHAIRMAN. I say as to the other factors that are taken into consideration in reaching the yardstick basis, they would bring the tonnage of the 6-inch-gun cruisers up in comparison with that of the 8-inch-gun cruisers, is that right? So, as you say, you might have 20,000 to equal 10,000 of the other.

Admiral JONES. Twenty thousand. As a matter of fact, Mr. Senator, in working out these equivalent tonnages, these tables, we had then, if I remember, worked out about 280,000 tons—the equivalent tonnage of the United States fleet worked out about 280,000 tons. The equivalent tonnage of the British fleet under the same circumstances, using the same values, worked out to about 280,000 tons, but the actual tonnage that we had was 300,500, and the actual tonnage that Great Britain had was somewhere in the neighborhood of 342,000.

The CHAIRMAN. That is, slightly larger.

Admiral JONES. Well, it was 42,000 tons larger. Quite a big tonnage.

The CHAIRMAN. And, of course, our superiority in 8-inch-gun cruisers under the tables given here would have been very little. We would have had 23.

Admiral JONES. Twenty-three.

The CHAIRMAN. And they would have had 18 plus 4 of the *Hawkins* class.

Admiral JONES. Yes; but the four of the *Hawkins* class come down on account of the age factor somewhat; 19 of the British cruisers there, or 18 of the British cruisers mentioned there, sir, were old war-time construction of the small cruisers and from 4,000 to 5,000 tons.

The CHAIRMAN. Yes.

Admiral JONES. Giving those valuations in this formula, equivalent tonnage equal to displacement tonnage multiplied by the gun-caliber factor multiplied by the age factor—purely empirical, you see. It was simply designed, as I say, to try to meet conditions actually existing at the time, sir, and that is the reason I have said all this time that there was a certain amount of camouflage about it.

The CHAIRMAN. And, in getting those conditions, you considered the gun factor as practically on the same basis?

Admiral JONES. As a matter of fact, sir, if I remember rightly, I put the gun factor 0.8 to 0.95. That was mine. I don't know what the General Board did.

The CHAIRMAN. And that was simply to reach an evaluation?

Admiral JONES. That is all, sir.

The CHAIRMAN. It had nothing to do with the value of a 6-inch-gun ship as against an 8-inch-gun ship?

Admiral JONES. Taking into consideration all the duties that would be performed, we hit upon about decimal 8 to 9, because that would give us—taking the British fleet and our own fleet—equality in evaluated tonnage, sir. We arrived at these figures in reality from the tables, getting down to what we wanted; getting the result, and working from the result back to what values we would have to give a factor to give that result, sir.

The CHAIRMAN. Yes.

Admiral JONES. That is all that was.

The CHAIRMAN. What I want to know is whether this statement in your letter about considering the two as of practically the same unit value as far as gun caliber is concerned is an argument to show that 6-inch-gun cruisers can be compared favorably with 8-inch-gun cruisers.

Admiral JONES. Under certain conditions they can, sir. Under certain conditions, and taking all the conditions that you can think of, sir, and particularly taking what we were trying to consider; Great Britain with her possessions, her bases, et cetera, and the value of a 6-inch-gun unit—not the 6-inch gun but the 6-inch-gun unit—working from these bases against merchant tonnage as commerce destroyers, et cetera, you have got to take that all in, sir.

The CHAIRMAN. That is, it was an argument to show that the British, with their numerous 6-inch-gun cruisers, would have a certain advantage on account of numbers, with their peculiar situation and their bases and their commerce and all.

Admiral JONES. Well, that is the way it works out, sir?

The CHAIRMAN. Yes. And that, therefore, we would have to give a high value to the 6-inch gun.

Admiral JONES. To the 6-inch-gun unit.

The CHAIRMAN. It was not an argument in favor of our building 6-inch-gun units.

Admiral JONES. No, sir; under no circumstances.

The CHAIRMAN. How do you distinguish exactly between those two?

Admiral JONES. Because, Mr. Senator, there are a great many conditions under which the 6-inch-gun unit is of little or no value to us and is of great value to other nations.

The CHAIRMAN. Then this was an attempt to show the value to Great Britain of the 6-inch-gun cruisers.

Admiral JONES. No, sir.

The CHAIRMAN. But not to show that they would have the same value to us.

Admiral JONES. No, sir. Mr. Senator, this was only for the purpose of working out this evaluated tonnage to try to meet a condition existing at the time, so that we could go to Great Britain, try to get an agreement on the basis of conditions actually existing, and trying to show to Great Britain when the argument came up, that she could not rightly put the value of the 6-inch-gun unit very low. If we take all of the conditions possible, there are many conditions particularly favorable to Great Britain for the 6-inch-gun units. We were willing to put and did put an 8-inch-gun unit at its full value. We need the 8-inch-gun unit, and we were willing to accept the difference in tonnage at that time so that she could get her numbers and we could get the unit that was most useful to us.

The CHAIRMAN. I see. Then the same argument you make in favor of giving the high valuation to Great Britain's 6-inch-gun units would not apply with our conditions.

Admiral JONES. We give value to the 8-inch-gun units.

The CHAIRMAN. But the same value would not apply in our case if we had a lot of 6-inch-gun units.

Admiral JONES. There are very many cases where a 6-inch-gun unit is practically unity for Great Britain and would be zero for us.

The CHAIRMAN. Yes. Therefore there is nothing in this that changes your attitude at all about the advantage of additional 8-inch-gun vessels for us.

Admiral JONES. Not at all, sir. I have never varied from that a minute, sir, and this was merely an effort, giving to Great Britain a preponderance of numbers, to leave her on her number basis as far as it was possible to do, and not putting it so that the 8-inch-gun cruisers would be put way beyond unity and 6-inch-gun cruisers put way below unity, sir.

That has been their argument all the time, sir, and we don't admit it. There are many places where the 6-inch-gun unit is extremely valuable to Great Britain where we could not get.

The CHAIRMAN. Where it could not be extremely valuable to us.

Admiral JONES. Why, we could hardly get them there and get them back, unless it was a 10,000-ton 6-inch-gun cruiser. But the cruisers she wanted us to come to would have been practically valueless to us, sir. There are many areas in the world where we would probably have to go where a gun unit of 5,000 tons for Great Britain would be a very valuable unit, particularly in destroying any commerce we may have in that area, and we could hardly get the 5,000-ton unit there at all, sir.

The CHAIRMAN. And it was taking those questions into consideration—

Admiral JONES. All of those.

The CHAIRMAN. That caused you to reach those conclusions?

Admiral JONES. All of those. We were trying to take everything that we could visualize, and we came back all the time to our original building program of twenty-three 8-inch-gun cruisers. That was what we were asking for, and it was merely a question of finding a formula to give equivalent tonnage so that we could go to them and say here is a condition where we come out with equality in equivalent tonnage. That is all.

The CHAIRMAN. I see. Very well, Admiral; will you continue?

Admiral JONES. I think, sir, I said that when the negotiations—or whatever they may be called—as between ourselves and the British started with a view to calling this conference—the date of it I have forgotten, sir—it was some time early in the summer, probably in July, I was called in for consultation a great many times.

The CHAIRMAN. By whom?

Admiral JONES. By the State Department principally. Once or twice by the White House, sir.

The CHAIRMAN. And by the Navy Department?

Admiral JONES. The Navy Department—I was an individual very largely acting individually.

The CHAIRMAN. Did you keep the General Board and the Chief of Operations apprised of all that you were doing?

Admiral JONES. I did, sir; I insisted that I would take no steps and do nothing so far as I was concerned that the Chief of Naval Operations and the Secretary of the Navy were not fully informed of.

The CHAIRMAN. And you informed them right along of everything that was done?

Admiral JONES. I informed them as far as I knew of it at the time. Of course—

The CHAIRMAN. How long were you concerned with these negotiations, Admiral?

Admiral JONES. Well, from the time they started in July until some time in September, possibly. Then I did not go into them much more until we went to London.

The CHAIRMAN. I take it negotiations were still going on between our Government and the British Government after September and between that time and the London conference.

Admiral JONES. Oh, yes, sir; negotiations were going on.

The CHAIRMAN. But you had nothing to do with them?

Admiral JONES. Well, for some time, sir, I knew nothing of what was going on, until I was called up and asked to come to the State Department and look at some cablegrams that had been received since I had seen them; I went there and before looking at the cablegrams indicated the possibility that I did not know whether I would be able to go to London or not. I afterwards saw them but not at that time.

The CHAIRMAN. What was the date of the letter of the General Board making the proposition for us that we should have twenty-one 8-inch-gun cruisers and a certain number of smaller ones?

Admiral JONES. That was September 11, I think.

The CHAIRMAN. September 11?

Admiral JONES. Yes.

The CHAIRMAN. And you subscribed to that letter of the General Board?

Admiral JONES. Yes, sir.

The CHAIRMAN. And it was about that time that you ceased to have any active participation in the preliminary work of the conference; is that true?

Admiral JONES. It is very hard to go back and remember all the instances, but in the early part of the summer, from July, I was individually consulted at the State Department, and it seemed to me at times there, sir, that we were putting ourselves in a position of asking Great Britain to do something to help us reduce our building program. I said as much and finally suggested that we ask Great Britain for the minimum that they could offer.

The CHAIRMAN. When was that?

Admiral JONES. That was in August, I think. To let us know the minimum that they could offer, so that we could take that in the General Board and study it. We finally got that minimum offer. What date we got it I don't remember, sir. That was taken up by the General Board, and the result of that study was embodied in that letter. I think, that you spoke of, sir. There is a previous letter of some date that I don't know now that is closely tied up with that letter you have. You will find references in that letter—

The CHAIRMAN. What was the British minimum offer?

Admiral JONES. The same they have now, sir.

The CHAIRMAN. Exactly the same that they have now?

Admiral JONES. I can tell you exactly what it was. It was fifteen 18-inch-gun cruisers, amounting to 46,800 tons, 91,000 tons of new 16-inch-gun cruisers, and 101,300 tons of existing cruiser strength, which was to be the cruiser strength that they would have on the 31st of December, 1936.

The CHAIRMAN. That is the same strength that they now have under the treaty.

Admiral JONES. That is the same strength that they now have, sir. They have not receded from that one ton, sir.

The CHAIRMAN. They have not receded at all from their demands?

Admiral JONES. No, sir.

The CHAIRMAN. Whereas we have receded from the demands made by the General Board.

Admiral JONES. Just a moment, Senator. When we got the minimum offer it was sent to the General Board for study. The result of the General Board's study of that minimum offer is set forth in the letter that you spoke of, sir, and I think also in that connection was a previous—no; that letter that you have, sir, is the General Board's reply to the minimum offer that Great Britain gave, sir.

For some time after this there was a question in my mind whether I should go to London or not as an adviser.

The CHAIRMAN. You mean you had been approached as to whether you would go or not?

Admiral JONES. No. I think it was generally assumed that I would go. No one had said anything to me about going. It was generally assumed that I was going, but I was uncertain as to what policies were going to be pursued when they got to London.

The Impressions which I had got, which there is no use repeating now, because they were merely impressions, were that certain policies might be pursued at London with which I could not be in accord, and I felt seriously that it was better that I did not go. However, when the Secretary of the Navy was appointed as one of the delegation and asked me to go, of course, I said that settles it; I will go. So I went to London. The extent of my knowledge at that time from the answers that had been made to London was that we were standing by the figures that the General Board had given us.

The CHAIRMAN. What reason had you to suppose that we would go below the recommendations made by the General Board? Of course, I do not wish you to give any confidential information.

Admiral JONES. No. I had no confidential conversation or anything at that time, sir, because I did not know. I merely surmised, because I was informed once, for instance, by Senator REED that there were matters that he could not talk about in connection with the mission at London.

The CHAIRMAN. That was quite proper, was it not?

Admiral JONES. That was quite proper, sir; I have no question of that, sir. However, I was also informed at a meeting of the group of the naval officers who were going over—by Admiral Pratt not long before we left that there were matters that he could not talk about to us. I just felt that there was something that they could not talk about to us before they went, and I was very strongly impressed with the idea then that we were going over there to accept what the British had been trying to have us do—accept the eighteen 8-inch cruisers with a larger number of 6-inch-gun cruisers.

The CHAIRMAN. What led you to be fearful of that?

Admiral JONES. I do not remember just what it was, sir. It may have been contained in the correspondence, in some of the cablegrams from the Prime Minister, but I know that I had it very strongly in my mind that that was something that we were going to do, sir.

The CHAIRMAN. Up to the middle of September had not all of the cablegrams that we had sent over stood up for twenty-one 8-inch-gun ships?

Admiral JONES. All of the cablegrams that went from this side that I know of maintained the General Board's figures of twenty-one 8-inch-gun cruisers, the 10 *Omahas*, and the 5 new 6-inch-gun cruisers. All of the correspondence that we sent over, as far as I know, gave us those as our figures.

We got to London on January 17 and the conference opened on January 21. On the 27th of January there was a tentative typewritten proposal sent around to all of the advisers and to the naval technical assistants setting forth a tentative proposal to be made to Great Britain, which was for the United States eighteen 8-inch-gun cruisers, aggregating 180,000 tons, 70,500 tons of the *Omaha* class, and 73,000 tons of 6-inch cruisers.

If I remember rightly, there was an optional proposal which gave us 150,000 tons of 8-inch-gun cruisers, the 70,500 tons of the *Omaha* class, and 118,500 tons of 6-inch cruisers.

For the British, it was just what they sent over before, their minimum, or with an option of going up to eighteen 8-inch-gun cruisers and that they would come down to the figure of 323,000 tons total. It is pretty hard to keep these straightened out.

As far as the Japanese proposal was concerned, it was essentially the 5-5-3. That also proposed 200,000 tons of destroyers for Great Britain and ourselves, and three-fifths of that for Japan; 60,000 tons of submarines for us and 40,000 tons for Japan, if I remember rightly.

The CHAIRMAN. Was it 90 and 60, or 60 and 40?

Admiral JONES. The first one probably was 90-60. I do not remember that, sir. It was either 90-60 or 60-40. There were five of these tentative proposals sent for general information and discussion, among the naval advisers and the technical assistants.

The CHAIRMAN. This was at the conference?

Admiral JONES. This was in London.

The CHAIRMAN. Eighteen 8-inch-gun cruisers?

Admiral JONES. Eighteen 8-inch-gun cruisers.

The CHAIRMAN. What was the date of the first of those; do you recall?

Admiral JONES. The 27th of January.

The CHAIRMAN. When did you get over there?

Admiral JONES. They began the 21st of January.

The CHAIRMAN. When did you arrive in London?

Admiral JONES. We arrived about three or four days before that, the 17th.

The CHAIRMAN. About the 17th?

Admiral JONES. Yes, sir.

The CHAIRMAN. Do you know whether any attempt was made to secure for the United States more than eighteen 8-inch-gun cruisers?

Admiral JONES. I do not, sir. We had no conferences in regard to these tentative proposals with the technical representatives of any other powers. They were sent around for us.

The CHAIRMAN. I think I have seen testimony to the effect that we made an attempt to get more than eighteen 8-inch-gun cruisers at the conference. If so, you had no knowledge of it whatever?

Admiral JONES. I had no knowledge of it whatever.

The CHAIRMAN. And it must have been before the first tentative proposal was given to the naval advisers on January 27, must it not?

Admiral JONES. I do not know when it could have been made.

The CHAIRMAN. Did any of the subsequent proposals include more than 18 of these cruisers?

Admiral JONES. No, sir. I was called before the delegation. I do not remember the date, sir, but it was about the 28th of January; it was very soon after the proposals were sent around; and I expressed my disagreement with that.

The CHAIRMAN. Verbally?

Admiral JONES. Verbally; yes.

The CHAIRMAN. Did you write any letters?

Admiral JONES. I will come to that later. I expressed my disagreement with that verbally and again called attention to the General Board's answer to the minimum offer made by Great Britain, which had not been changed in any of these proposals.

Then on the 5th of February came out the fifth one of these tentative proposals, and again I was called before the delegation. Again I expressed my disagreement with the proposal as far as the cruiser categories were concerned. That proposal still had 200,000 tons in a destroyer category for Great Britain and ourselves, and three-fifths of that for the Japanese, and in the submarine category at that time it was 60,000 and 40,000.

The CHAIRMAN. And that was your reason for not approving?

Admiral JONES. No, sir. I was again called before the delegation on that proposal, and was told by Mr. Stimson that he had had a conversation with Mr. MacDonald and was given to understand that if we stood by our original stand it would break the conference.

The CHAIRMAN. Our original stand for the 21?

Admiral JONES. For the 21, but I still persisted in my disagreement with the proposal on the cruiser category only, sir, because I was ready to accept 200,000 tons of destroyers and three-fifths of that for Japan; 60,000 tons of submarines for us and 40,000 for Japan. The proposals as regards battleships, and so forth, were what I could agree with. Therefore, my principal objection at that time was in the cruiser category, and I felt it so keenly that I made a memorandum for distribution to each member of the delegation setting forth my views on that category. I took that memorandum to the office where I supposed it would be distributed to each individual of the delegation, and left it there with a request that it be distributed.

The CHAIRMAN. Under none of these proposals was there any question of a change in the Japanese ratio, excepting as to submarines?

Admiral JONES. That was 60-40. That is the last one I remember, sir.

The CHAIRMAN. With 60-40 as the basis that would be about what percentage?

Commander TRAIN. Six and sixty-six one-hundredths.

The CHAIRMAN. Ten to six and six-tenths?

Admiral JONES. Just about that; yes.

The CHAIRMAN. There was a slight increase.

Admiral JONES. Yes; in submarines.

The CHAIRMAN. Over the 10-10-6 ratio.

Admiral JONES. It was something over that; yes.

The CHAIRMAN. A slight increase over that.

Admiral JONES. Yes; it was 10 to 6.6.

The CHAIRMAN. Was there any question at any time of changing the ratio as far as Japan was concerned other than in that way?

Admiral JONES. Not very long after that, sir, I was taken sick and had to leave London, and I know nothing about any negotiations that were carried on with the Japanese.

The CHAIRMAN. You had nothing to do with that in any way?

Admiral JONES. No.

The CHAIRMAN. You did consent to the 60-40 arrangement in submarines?

Admiral JONES. Yes, sir.

The CHAIRMAN. Why did you consent to that?

Admiral JONES. It was not very far above the 5-3. The Japanese had a very large tonnage in submarines in existence. I thought that

we would not be very much jeopardized if we accepted that 60,000 tons to 40,000.

The CHAIRMAN. But you never considered yielding in any other way on the Japanese ratio?

Admiral JONES. No, sir. I think I have a memorandum that I submitted on that, sir. About the 13th of February a memorandum was sent around asking three questions. The first was, "Shall we advocate any maximum limit of submarine-unit tonnage?"

The second was: "In order to limit Japan's submarine tonnage to the lowest possible figure, what concession in submarine-tonnage ratio can we offer?"

And the third was: "Can we accept a class of submarines not subject to limitation?"

The CHAIRMAN. These questions were put to the naval officers?

Admiral JONES. I got out a memorandum. I do not know whether all the rest of them got it or not. I can read my answers to that.

The CHAIRMAN. Yes; I would like to have you do so.

Admiral JONES. My answers to those questions were as follows:

"FEBRUARY 13, 1930.

"Memorandum for the Secretary of the Navy.

"In answer to the question, 'Shall we advocate any maximum limit of submarine-unit tonnage?' It is my opinion that any maximum displacement which any of the conferring powers might desire, but not below 1,800 tons, may be accepted by the United States. Therefore, we need not advocate any maximum limit, but should not accept a maximum-unit tonnage below that stated, namely, 1,800 tons. Within that limit we can design and build submarines which possess not only the radius of action necessary for operations of our submarines in the detached operational areas but will permit accommodations for the crew sufficiently habitable for the time at sea permitted by fuel and food endurance.

"In answer to the question, 'In order to limit Japan's submarine tonnage to the lowest possible figure what concession in submarine-tonnage ratio can we offer?' It is my opinion that we can not consider Japan alone in the matter of fixing the total tonnage in the submarine category as the tonnage allotted to other powers, notably Great Britain, must be considered. Generally speaking, it may be accepted that a low limitation of total tonnage of submarines for each of the three powers—Great Britain, Japan, and ourselves—will serve the best interest of the United States so long as the total tonnage is not below that which will allow our submarines in sufficient numbers and of proper unit tonnage to carry on efficient operations in the areas in which they would be called upon to operate. I am of the opinion that the interests of the United States would not be jeopardized at a limit of 60,000 tons each for Great Britain and ourselves, and while I am convinced that the 5-3 ratio with Japan, allotting her 36,000 tons, gives the advantage to Japan, we may, as a concession, admit an allotment of 42,000 tons for her, which is in the ratio of 10-7. Sixty thousand tons would give us sufficient submarines to cover what are generally considered our critical areas—that is, the Philippines, Hawaii, the Panama Canal, and the Caribbean.

"Although it is very desirable for us that the allotment of total tonnage of submarines to Japan should be reduced to the lowest level possible, it must be borne in mind that a reduction to a level materially lower than 60,000 tons for us would so reduce the numbers of units available for operations in the critical areas mentioned as to seriously cripple any campaign there.

"In answer to the question, 'Can we accept a class of submarines not subject to limitations?' my answer is emphatically 'No.'"

The CHAIRMAN. And that was the only concession that you made while you were over on the other side, or before you went over there, to increase the Japanese ratio?

Admiral JONES. Yes, sir.

The CHAIRMAN. And your views on the subject were known to the delegation?

Admiral JONES. My whole attitude was known, sir, before I went to London; it was not changed at all at London, except possibly in that small detail.

The CHAIRMAN. And there was no change in the ratio of cruisers or destroyers, but only in submarines?

Admiral JONES. Only in submarines. Frankly, I am not particularly concerned as a rule in the destroyer category, Senator HALE, because after a certain time we can turn out destroyers very rapidly. We did in the last war turn out a destroyer in two months.

The CHAIRMAN. They have not worn very well, have they?

Admiral JONES. They are not of very much value at present, sir; they were not of very much use then, but we can do it.

The CHAIRMAN. Some of them are now on the disposal list, are they not?

Admiral JONES. Yes, sir.

The CHAIRMAN. Although they have never been used?

Admiral JONES. That I can not tell, sir, now, because I have not kept track of that, sir; but I know that some of them had only a radius of about 2,000 miles and were not considered of very great use, but that was the fault of the design and not the lack of ability to turn them out.

The CHAIRMAN. I asked you a short time ago about a letter that you wrote to the delegation expressing your views at the conference about the cruisers.

Admiral JONES. Yes, sir.

The CHAIRMAN. I think that should be put in the record.

Admiral JONES. I think I have one here, sir. Do you want that read, sir?

The CHAIRMAN. Yes; I would like to have it read.

Admiral JONES. It reads as follows:

"FEBRUARY 5, 1930.

"Memorandum from Hilary P. Jones, United States Navy.

"As adviser to the American delegation, I feel compelled to express an opinion in opposition to the tentative plan of the American delegation of February 5, 1930, in regard to the proposed cruiser allotment for the United States on page 1. In my opinion, such an allotment weakens us in sea power relatively to the allotment submitted by the General Board of the Navy, which was—

Type	Total tons
10,000-ton cruisers carrying guns of 8-inch caliber.....	210,000
Existing <i>Omahas</i>	70,500
New cruisers carrying guns not exceeding 8 inches in caliber..	35,000

"This allotment was the result of careful study and full consideration of the cruiser program submitted by Great Britain as her minimum, now adhered to by Great Britain without change, and was agreed upon by the General Board as constituting a sufficiently close approximation to parity to warrant acceptance. I am in complete accord with the opinion of the General Board and consider that the tentative plan as outlined departs dangerously from the standard of parity accepted in that the tonnage in the type of cruiser most useful to us is decreased and the tonnage in the type of cruiser less useful to us is increased. Furthermore, the plan is a distinct further departure from the attitude consistently maintained by the United States that limitation should be based on total tonnage in categories with freedom for each nation to build within that tonnage the type of vessel most suited to its strategic and geographic needs.

"The tentative plan has the effect of standardization to a certain extent in a type most suitable to Great Britain, due to her possession of numerous and strategically well-located bases, as well as a greatly preponderant merchant tonnage readily convertible into auxiliary 6-inch-gun cruisers and less suitable to us due to our lack of such bases and merchant tonnage.

"In this connection I desire to submit the following remarks of the president of the Naval War College, which seem to me fundamentally sound:

"A consideration of the characteristics that should be embodied in cruiser types must be based upon the duties required of them, which duties are of two general natures—(a) those in connection with the battle line (battleships), and (b) those incidental to operations other than operations of the battleships themselves.

"Under (a) the duties are those in support of our destroyer attack, in defense against the enemy's destroyer attack, and in the general duties of the defensive screen. Under (b) the duties are those in connection with scouting and distant screening, in the attack and defense of convoys, lines of communication, etc. The objectives under (b) are cruisers, destroyers, submarines, plane carriers, and other light cruisers.

"A consideration of the duties and objectives under (a) points to the necessity for a cruiser of speed equal to a destroyer, armed with a rapid-fire gun of caliber sufficient to penetrate a destroyer's side plating and superior to the gun with which the destroyer is armed. This is realized in the 6-inch-gun cruisers of 6,000 to 7,000 tons, a fast and handy ship with a good volume of fire.

"Under (b) the requirements are high speed, large cruising radius, maximum survival, and gun caliber at least equal to that carried by any other cruisers. Those requirements can be better realized in a ship of displacement greater than that which satisfies the requirements under (a).

"From the above it appears that the cruiser class is divided naturally into two types and that, since the maximum unit size permitted us is 10,000 tons, the larger of the two types should be of that displacement, for, of course, the greater displacement permits of an augmentation of the military characteristics.

"These two different kinds of duty impose upon us the necessity for providing two types of cruisers if we are to achieve the maximum of efficiency in the performance of each of the two duties. It is true that the 6,000-ton ship may perform the duties under (b) and the 10,000-ton ship those under (a), but in both cases there will be a loss of efficiency.

"On a limited tonnage it becomes necessary to allocate the amounts to be used for duties under (a) and (b), respectively.

"The Navy exists for the purpose of controlling the sea communications, whether for military or commercial purposes. To completely control the sea communications the Navy must first achieve command of the sea by defeating the enemy main fleet or by containing it. This accomplished, the control of the sea is exercised by the cruiser type. Fundamentally, therefore, we must first provide for the types of ships necessary for a balanced Battle Fleet and so we must consider the cruisers for service with that fleet before considering those for other

service. We are able to estimate the number of cruisers required for service with the fleet more accurately than we can estimate those for other service. The first requires a number based primarily upon tactical requirements of the Battle Fleet and the second requires a number based upon dispersed and widespread operations, either singly or in groups, in connection with the exercise of control of lines of communication.

"Having decided upon the number of cruisers required for duty with the Battle Fleet, the logical thing to do is to utilize the remaining tonnage available in that category for the construction of cruisers best fitted for the performance of the duties outlined under (b) above—i. e., the exercise of control.

"Every ton worked into a cruiser that is not best fitted for this exercise of control after the Battle Fleet cruisers have been provided is, militarily speaking, not the most efficient employment of that tonnage."

"In view of the above, I am convinced that the tentative plan of the American delegation of February 5, 1930, weakens the relative naval strength of the United States both as regards the original building program approved by the Congress—that is, of twenty-three 10,000-ton, 8-inch-gun cruisers, and also the modified program approved by the General Board given above—in that it decreases tonnage most suitable to the needs of the United States and increases the tonnage less suitable to the needs of the United States."

The CHAIRMAN. And from that position you never varied.

Admiral JONES. No, sir; from the beginning, sir, I have never varied.

The CHAIRMAN. The letter from the General Board of September 11, at page 9, subsection (c), appears to indicate that the cruiser category of the United States on December 31, 1930, should include the following:

"Not less than 210,000 tons of 10,000-ton 8-inch-gun cruisers, 58,500 standard tons in new cruisers mounting guns not exceeding 6-inch caliber, the existing ten 6-inch-gun cruisers of the *Omaha* class aggregating 70,500 standard tons."

As I understand it, that was based on the yardstick being given up?

Admiral JONES. Yes, sir; it says there in subsection (d) "that the yardstick be not used"; and that was based on that supposition, sir.

The CHAIRMAN. And should the yardstick not be used, that would have given us practically the same tonnage that Great Britain had with her fleet?

Admiral JONES. It would have given us about 339,000 tons.

The CHAIRMAN. About the same tonnage that they had?

Admiral JONES. The same tonnage; yes, sir.

The CHAIRMAN. As I understand it, the General Board understood from certain communications from the British Prime Minister that the yardstick was no longer to be considered. Is that correct?

Admiral JONES. That was as the interpretation, sir, of the General Board and, if I remember correctly, the interpretation of every member of it. I do not remember my own interpretation at the time, but I quite agreed, if I remember rightly, sir, that we were to depart from the yardstick and take this minimum tonnage and deal with it, sir.

The CHAIRMAN. Obviously, if no yardstick were used—

Admiral JONES. Then we claimed—

The CHAIRMAN. Then we would claim the same tonnage that the British had.

Admiral JONES. Equality of tonnage, particularly in view of the fact that Great Britain was building under this 14 new 6-inch-gun cruisers.

The CHAIRMAN. Then, Admiral, when the attention of the General Board was called to the fact that the yardstick had not been given up, they made a further proposition for twenty-one 10,000-ton 8-inch-gun cruisers, the existing cruisers of the *Omaha* class, and 35,000 tons of new 6-inch-gun cruisers?

Admiral JONES. Yes, sir. The Secretary of State himself came down to the General Board late in the afternoon and informed us, as is stated here, that there was no intention, if I remember rightly, of abandoning the yardstick, and the General Board had no right to assume it. He was informed that that was the honest interpretation of the General Board and of every individual member of the General Board.

The CHAIRMAN. And the second plan included the use of the yardstick?

I will ask that the balance of this testimony be printed in the RECORD. It contains much interesting information from that grand man, Admiral Hilary Jones, and I commend it to the attention of the Senate. There is no better-posted man in the United States or anywhere else on these important matters having to do with the Navy than Admiral Jones.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Admiral JONES. If the yardstick were to be used or considered, then this was the offer the board made as the one that it would use. Using the values of the General Board for the yardstick, it would bring us to about equality of equivalent tonnage.

The CHAIRMAN. Then do you think there was anything inconsistent in the two stands of the General Board?

Admiral JONES. No, sir; I do not think so. It is only fair to say, and in saying this I think I am speaking for naval officers generally—I am a bit of a monarchist at heart—the Commander in Chief is a

being apart to me; and I think most officers in the Navy feel the same way toward him; and where it is possible to do so without sacrificing so much as to seriously cripple the national defense, they would like to meet the wishes of the administration so far as possible.

The CHAIRMAN. By "Commander in Chief" you refer to the President?

Admiral JONES. To the President of the United States; and it was in an effort, and in an earnest effort, to meet what they conceived to be his wishes that they made the first proposition on the conception that the yardstick was done away with. Then, when informed that in the opinion of the Secretary of State—I suppose, quoting the President—that the yardstick was not to be abandoned, then the board used the figures and arrived at that last table, the 210,000 tons of 8-inch cruisers, the 75,000 tons of the *Omaha* class, and the 35,000 tons new construction.

The CHAIRMAN. At the London conference, were you in constant communication with the members of the delegation?

Admiral JONES. I talked with the Secretary of the Navy very often, but I had not much communication with the other members except socially, sir.

The CHAIRMAN. Did you know about all of the negotiations that were going on?

Admiral JONES. No, sir; all I knew of were these tentative proposals that were sent around. Twice I was called in before the delegation to express my opinion in regard to them, as I have told you before, sir; and again when there was some work going on.

The CHAIRMAN. Once about the cruisers. What was the other time?

Admiral JONES. I have explained that, sir—to express my opinion of these tentative proposals—and then there was a subcommittee dealing with the exempt class of vessels, retained vessels, and special vessels. I was kept very well advised of that, sir, until I had to stop the whole thing and come home.

The CHAIRMAN. And that was about when?

Admiral JONES. That was about the middle of February, if I remember rightly, sir, because I left London on the 26th of February.

The CHAIRMAN. And after you were taken sick you had nothing to do with the negotiations?

Admiral JONES. No, sir; I could not do anything more.

Senator ODDIE. Mr. Chairman, in commenting on the statement the admiral made a few moments ago in regard to the President, did not the Secretary of State make a statement before the Foreign Affairs Committee a few days ago to the effect that the President did not know of the technical details of the conference; that they had no consulted him regarding them?

The CHAIRMAN. The record will show what he said.

Senator ODDIE. If that be the case, I do not think the President should be considered as having dictated the technical details in the conference. I think many things were done that he did not know about and possibly might not have approved.

Admiral JONES. That may have been so, but in regard to the matters in this letter, this letter was read to the President down to paragraph 21. There was a meeting of the General Board with the President, and this letter was read to him, sir, down to paragraph 21, inclusive.

Senator ODDIE. What I referred to is the controversy over the 8 inch and 6 inch gun cruiser stand of the conference.

Admiral JONES. I do not understand what you mean.

Senator ODDIE. I mean, I think that the Secretary of State was discussing this 8-inch-gun cruiser against the 6-inch-gun cruiser at that time and I remember that there was an inference that the President did not know all of the technical details in regard to the matters.

Admiral JONES. That I knew nothing about, sir.

The CHAIRMAN. I think what the Secretary of State meant to express, or did express, was that the delegation went over there with a free hand, Senator, and that they were not dictated to by anybody about what they did at the conference.

Admiral, are there any other matters that you would like to talk to the committee about in relation to the conference and steps leading up to it?

Admiral JONES. No, sir; I do not think I care to go into any more details than I have, sir.

The CHAIRMAN. Then, Admiral, I would like to have you talk to us about the treaty.

Admiral JONES. I will take it up by articles and call attention first, sir, to Article I. The last paragraph of Article I states:

"France and Italy may, however, build the replacement tonnage which they were entitled to lay down in 1927 and 1929 in accordance with the provisions of the said treaty."

That is the Washington treaty.

If fitted with flying-off decks it is understood that the carrier tonnage of these two nations will not be prejudiced. It will be noted that in paragraph 3 of Article III it says:

"No capital ship in existence on the 1st day of April, 1930, shall be fitted with a landing-on platform or deck."

This really may not affect us in any way, but you will note that France and Italy are permitted to put these decks on their capital-ship tonnage without prejudice to their carrier tonnage, whereas the

other three nations are not permitted on any capital ships in existence to fit any such deck.

If France and Italy fit these decks on their 70,000 tons of new tonnage, we are unable to say what the effect Great Britain may consider such equipment may have on her. I merely ask you to note this in order that it may not be forgotten.

I would like to call attention here, too, sir, that it is understood that this replacement tonnage which it speaks of here may be in battleships or battle cruisers, because that would bear somewhat on later provisions.

In Article VIII on page 11, in subparagraph (b), it says:

"(b) Naval surface combatant vessels exceeding 600 tons, but not exceeding 2,000 tons standard displacement, provided they have none of the following characteristics:

"(1) Mount a gun above 6.1-inch caliber.

"(2) Mount more than four guns above 3-inch caliber."

That means they can mount four 6-inch guns.

"(3) Are designated or fitted to launch torpedoes.

"(4) Are designed for a speed greater than 20 knots."

Let me call your attention to the fact that in reality this unit falls within the definition of a cruiser as given in article 15.

The CHAIRMAN. That is between 1,850 and 2,000 tons?

Admiral JONES. Yes. A unit of this size and of that speed carrying four 6-inch guns is a very formidable antisubmarine unit, and also a very formidable commerce raider under certain conditions. It is a very formidable antisubmarine unit in any restricted area within a certain radius of bases. It is a very formidable commerce raider within 1,500 or 2,000 miles of any base.

The United States, through our delegation, has consistently tried to keep the speed of this unlimited unit down to 15 knots, although we did reluctantly accept a speed of 18 knots at Geneva.

In annex 1, section 1, subparagraph (a):

"For a surface vessel exceeding 3,000 tons but not exceeding 7,000 tons standard displacement, if laid down before the 1st of January, 1920, the age of that vessel is 16 years; if laid down after the 31st of December, 1919, 20 years."

That releases for other people certain tonnage for replacement, some before, I think, but some very soon after 1936, but does not help us much. It allows only two of our 7,000-ton cruisers to be released under that age limit by 1939.

I would like to call attention, because it bears on a later thing, to the definition contained in article 15. It says:

"For the purpose of this Part III the definition of the cruiser and destroyer categories shall be as follows:

"Cruisers.

"Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons, or with a gun above 5.1-inch caliber.

"The cruiser category is subdivided into two subcategories, as follows:

"(a) Cruisers carrying a gun above 6.1-inch caliber.

"(b) Cruisers carrying a gun not above 6.1-inch caliber."

I would like to have noted the definition of cruiser. Then, this dividing of the cruiser category into subcategories is, in the first place, a misnomer, in that you can hardly consider them subcategories. They are types within a category, but not really or rigidly subcategories. However, if they are that and so considered, then that is contrary to all of the stand that we have been taking consistently up to this time.

In Article XVI, giving the completed tonnage in the cruiser, destroyer, and submarine categories which is not to be exceeded on the 31st of December, 1936, there is given in the table as follows a list under categories. Under the subcategory (a), as given above, the United States is allowed 180,000 tons, but under Article XVIII we express our intention not to begin 3 of these cruisers until, 1 in 1933, 1 in 1934, and 1 in 1935, so that we can not have 180,000 tons of 8-inch-gun cruisers completed on the 31st of December, 1936.

The CHAIRMAN. We can have 16?

Admiral JONES. We can have 16.

I just want to call attention to that; that we are required in that to state our intention as to what we are to do.

In Article XVIII I wish to call attention to the fact that it says:

"A transfer not exceeding 10 per cent of the allowed total tonnage of the category or subcategory into which the transfer is to be made shall be permitted between cruisers of subcategory (b) and destroyers."

You will note that they distinctly refer there to the subcategory.

Now, in Article XIX it says:

"Except as provided in Article XX, the tonnage laid down in any category subject to limitation in accordance with Article XVI shall not exceed the amount necessary to reach the maximum allowed tonnage of the category, or to replace vessels that become 'over age' before the 31st of December, 1936. Nevertheless, replacement tonnage may be laid down for cruisers and submarines that become 'over age' in 1937, 1938, and 1939, and for destroyers that become 'over age' in 1937 and 1938."

I believe, sir, that this article as written puts us in a dangerous position at the conference that is provided for in 1935, in that Great Britain

will have at that time 86,350 tons of cruiser tonnage that may be replaced in 1936, most of it, and 1937. Practically all of it will be replaced in 1936 and 1937. A very large part of that tonnage may be begun in 1934. There is nothing to my mind in this article which prevents her from devoting any part of that 86,350 tons that she wishes to 10,000-ton 8-inch-gun cruisers.

Senator ODDIE. And that in itself, Admiral, would throw the whole thing off, so far as parity goes?

Admiral JONES. Yes, sir. Now, if we build this tonnage that we are allowed to build—that is, have 160,000 tons of 8-inch tonnage completed and 20,000 tons under construction, and the 143,500 tons of 6-inch-gun carriers within the limitation prescribed of 339,000 tons—we will go into that 1935 conference frozen into a position from which we can not escape, except by lifting the limit of 339,000 tons, and, naturally, all the limit that is lifted gives that much more tonnage to all the other nations to build within the 8-inch-gun cruisers, so that we can not catch them.

Now, I called attention before to the fact that where it was considered necessary to do so subcategories are referred to specifically. I want to call attention to the fact that wherever it was necessary to refer to the subcategories in any restrictive way whatever the subcategory has been mentioned, and I am informed that in interpreting a treaty you must interpret it according to what it says, and particularly in light of other articles in the treaty that use language somewhat the same. To make that perfectly plain so there can not be any escape, if it read, "Except as provided in Article XX the tonnage laid down in any category or subcategory subject to limitation in accordance with Article XVI shall not exceed the amount necessary to reach the maximum allowed tonnage of the category or subcategory, or to replace vessels that become 'over age' before the 31st of December, 1936," there would have been left no doubts. I haven't a doubt in the world as to the intention that prevailed at the time, but—those are the intentions which everyone had, I haven't a doubt, because the intentions were all good—those intentions will not be binding in 1935 if conditions should so come about at that time as to warrant Great Britain in using that tonnage in the larger gun cruisers, France has announced her intention of having 10 of the 8-inch-gun cruisers and Italy has announced her intention of having ten for ton with France. That will make twenty 8-inch-gun cruisers possessed by two continental European powers. Great Britain's immemorial policy has been the 2-power standard. Therefore she would be perfectly justified, knowing her policy, to my mind, in claiming the right to the twenty 8-inch-gun cruisers at that time.

Now, again, the Japanese demanded in 1927 a ratio. They were told at that time that we could not admit it. They have gotten practically a 10-7 ratio in all of the categories except—well, I won't say in all the categories, but will say that she has 10-7 in the 8-inch-type cruiser subcategory, in the destroyer category, and 100 per cent in the submarine category. I am convinced that it is her intention—

The CHAIRMAN. And nearly 6.8 in the 8-inch-gun category, if you count the sixteen 8-inch-gun cruisers we will have at the end of the treaty.

Admiral JONES. Yes, sir. I am convinced that she will claim the 70 per cent in the other gun cruisers, and that this Article XXIII opens up that stand for them where it says:

"It being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to."

At that 1935 conference, in accordance with this table, whatever our attitude may be, we can only escape from the position we are in by increasing the limit.

Senator ODDIE. The other day, Admiral, you touched on the relative strength of Japan and the United States in cruisers, taking into consideration our lack of fortified bases in the western Pacific and Japan's large number of fortified bases there.

Admiral JONES. In the western Pacific; yes, sir.

Senator ODDIE. How much advantage in 8-inch-gun cruisers will Japan have over us, considering all those factors?

Admiral JONES. Well, I said then, sir, and I say now, that I consider under the conditions existing that in all these categories a 5-3 for Japan in reality means a 5-5 plus.

Senator ODDIE. Yes; 5-5 plus. Then, with the 10-7, it means a larger ratio? How much larger?

Admiral JONES. I couldn't say, sir.

Senator ODDIE. Well, considerably more than that?

Admiral JONES. Yes; much more.

The CHAIRMAN. Proportionately?

Admiral JONES. Yes.

The CHAIRMAN. That is based on the fact that operations would probably be carried on in the Far East, is it not?

Admiral JONES. Must be carried on in that area.

The CHAIRMAN. Admiral, have you commented on Article XXI, the escalator clause?

Admiral JONES. Not yet, sir. I will say that I feel I am justified in saying, sir, that I am the originator of this so-called escalator clause, because in my conversation with the First Sea Lord of the Admiralty in

1926 he said that "We, Great Britain, can not enter a conference unless France and Italy are also represented at that conference." I said to him then, "Why not consider what I then called a political clause, which would allow you, if menaced by a building program of any non-signatory power, to give you the right to meet that menace and without consultation or anything with anyone else?" To meet that menace is, I consider, the right of a nation, if she considers herself menaced in any way. To meet the menace is inherent and inalienable.

He said that he would consider that, and I believe that Great Britain consented to go into the 3-power conference at Geneva in 1927 because such a clause as that would be incorporated in any agreement. Japan, in 1927, was equally interested in having such a clause inserted, because she said if Russia should become a sea power she would have to meet that menace, and if China became unified and built a navy she would have to meet that menace; and I frankly say that, if I were speaking for Great Britain, I, under no circumstances, would enter a 3-power conference, leaving the European nations out; that I, under no circumstances, would enter an agreement unless it was recognized that I had a right to meet what I considered a menace to my national defense, and that without consultation with anyone else.

The CHAIRMAN. That was not so far as America was concerned, that was so far as these other countries were concerned, was it not?

Admiral JONES. I can see no menace to us in the building programs of any power—non-signatory power to a 3-power agreement as between Great Britain, ourselves, and Japan.

The CHAIRMAN. And your suggestion to the British that such a clause be inserted in any possible treaty was made in order to facilitate their coming into the treaty?

Admiral JONES. At that time, in 1926, it had been suggested at Geneva by the Japanese, if I remember rightly, that a 3-power conference between themselves, Great Britain, and ourselves might be possible, in view of the fact that we generally agreed at the first preparatory commission on methods of effecting limitations that were not so far apart that we did not think at the time that they might be reconciled. They had to disavow any such idea later, but that was taken up in my conversation with the First Sea Lord of the Admiralty, and the possibility of a 3-power conference was suggested, and it was his reply then that they could not enter it unless France and Italy were represented.

There is one article—Article XXII, Senator. My attention was called last evening to the fact that under Article XXII the question of armed merchant ships was not taken up, and it reduces the usefulness of submarines very decidedly. But that is something that interests other people, I think, more than it does us.

The CHAIRMAN. Admiral, you have told us about a number of the articles of the treaty. Those articles or sections to which you have not referred are satisfactory, so far as you know?

Admiral JONES. Generally speaking, I should say so; yes, sir. I don't know what to say further in regard to Article XXI. I think that article means that if Great Britain, for instance, decided that she ought to increase her tonnage in destroyers, that if we wanted to make any increase, it would have to be in the destroyer category, or if it were in the submarine category we would have to make it in the submarine category. Now, whether that should be cleared up so that if the increase is made in a certain category, and we feel that we ought to be able to build in another category to meet that increase, it seems to me that might be considered.

The CHAIRMAN. In any event, do you think the subcategory would come in there in case of cruisers? Do you think if they built 6-inch-gun cruisers we could build 8-inch-gun cruisers?

Admiral JONES. I should say under that we could build 8-inch-gun cruisers if they increased in 6-inch-gun cruisers.

The CHAIRMAN. You think that should be cleared up?

Admiral JONES. Yes, sir.

The CHAIRMAN. Very well, Admiral. Have you anything further?

Admiral JONES. I would suggest in regard to Article XIX, to clear that up, that it say, in interpreting Article XIX, that it is understood that the meaning is as if it were worded as it is in other articles, as follows:

"Except as provided in Article XX the tonnage laid down in any category or subcategory, subject to limitation in accordance with Article XVI, shall not exceed the amount necessary to reach the maximum allowed tonnage of the category or subcategory, to replace vessels that become 'over age' before the 31st of December, 1936."

That would clear it up, sir.

The CHAIRMAN. Have you any further suggestion to make about the treaty, Admiral Jones?

Admiral JONES. No, sir; none that I know of now, sir.

Mr. ODDIE. Mr. President, I want now to refer to some testimony before the Naval Affairs Committee by Admiral Mark L. Bristol, another one of our splendid naval officers, who has been in the service for 46 years, and who has spent over 31 years actually at sea. He is chairman of the executive committee of the General Board.

In my previous statement on the floor of the Senate I referred to Admiral Bristol's splendid service in the Far East. He spent numbers of years over there.

Admiral Bristol was called before our committee, and made some very interesting and pertinent statements which the Senate should hear. I will refer briefly to a few of them. He gave this statement as the statement of the General Board. I read from the record:

STATEMENT OF REAR ADMIRAL MARK L. BRISTOL, UNITED STATES NAVY

The CHAIRMAN. The committee will come to order. Will you give your full name to the stenographer?

Admiral BRISTOL. Mark L. Bristol; rear admiral, United States Navy.

The CHAIRMAN. Admiral Bristol, you are chairman of the executive committee of the General Board, are you not?

Admiral BRISTOL. I am.

The CHAIRMAN. And you have occupied that position since when?

Admiral BRISTOL. Since about the last of March.

The CHAIRMAN. Before that you were in command—

Admiral BRISTOL. Of the Asiatic Fleet.

The CHAIRMAN. And before that?

Admiral BRISTOL. Before that I spent eight and a half years in Turkey, as high commissioner, and in command of the naval forces in the Near Eastern waters.

The CHAIRMAN. And how long were you with the Asiatic Fleet?

Admiral BRISTOL. Two years.

The CHAIRMAN. You have already appeared before the Committee on Foreign Relations of the Senate and have made a statement, I believe, before that committee?

Admiral BRISTOL. Yes, sir.

The CHAIRMAN. I think it would be well to put that statement in our record, and if you can, without going into the whole statement, give us a digest of it; the committee would like to hear that.

Admiral BRISTOL. I think I can shorten the reading of it quite materially and yet convey practically all the information.

In reading this statement I would like to state that it is a statement of the General Board and is not my personal statement of opinion.

The CHAIRMAN. The other members of the board are familiar with that statement?

Admiral BRISTOL. They are familiar with the statement.

The CHAIRMAN. You give it as the statement of the whole board?

Admiral BRISTOL. I give the statement as that of the whole board, taken principally from written records and not from oral statements.

The CHAIRMAN. And as far as you know, does any member of the board differ from the statement you have to make?

Admiral BRISTOL. None of the board at the present time, and I think it would be safe to say that those who have been members of the General Board in the past, for some years, would agree with this statement.

The CHAIRMAN. All of them would agree to this statement?

Admiral BRISTOL. Yes.

The General Board was established by order of the Secretary of the Navy, John D. Long, on March 13, 1900, with the Admiral of the Navy, George Dewey, as president.

The necessity for some advisory agency had long been recognized by the Secretary of the Navy, but it was the creation during the Spanish-American War of an agency of this character commonly referred to as "the war board," which brought out this fact prominently.

The purpose of the General Board, as stated in the order establishing it, was "to insure efficient preparation of the fleet in case of war and for the naval defense of the coast."

The General Board is composed of four ex officio members, namely, Chief of Naval Operations; Major General Commandant, United States Marine Corps; president, Naval War College; and Director of Naval Intelligence; and members of high rank, usually about five in number, assigned to this specific duty. The officers specifically assigned constitute the executive committee, which is usually composed of former commanders in chief and other flag officers who have had command afloat.

The General Board's special duty is to advise the Secretary of the Navy. It has no executive functions whatsoever and never acts in any but an advisory capacity. It is charged specifically by Navy regulations with the preparation of the building program of new construction and the recommendations as to the military characteristics of the different classes of ships. In addition, a wide range of subjects is referred by the Secretary of the Navy to the General Board, such as policies, foreign relations affecting the Navy, and general matters relating to the Navy afloat and ashore.

Military and naval officers and civilians appear before the board for exhaustive hearings held in order that all possible information and all points of view may be made available for the use of the board.

The personnel of the board changes with reasonable frequency due to the arrival of officers fresh from sea duty and the detachment of officers for sea duty.

During the 30 years of its existence there have been 21 chairmen of the executive committee—namely, Rear Admiral A. S. Crowninshield;

Rear Admiral H. C. Taylor; Rear Admiral G. S. Converse; Capt. W. T. Swinburne; Rear Admiral J. E. Pillsbury; Rear Admiral W. P. Potter; Rear Admiral R. R. Ingersoll; Capt. T. B. Howard; Rear Admiral R. Wainwright; Rear Admiral N. E. Mason; Rear Admiral J. B. Murdock; Rear Admiral Hugo Osterhaus; Rear Admiral C. E. Vreeland; Rear Admiral W. H. H. Southerland; Rear Admiral R. F. Nicholson; Rear Admiral C. K. Badger; Rear Admiral W. L. Rodgers; Rear Admiral H. F. Jones; Rear Admiral E. W. Eberle; Rear Admiral A. T. Long; and I am at present the chairman.

When the Office of Naval Operations was established by Congress in 1915, the Chief of Naval Operations, as the ranking officer of the Navy, was made ex-officio senior member of the General Board. Admiral C. F. Hughes is now Chief of Naval Operations. He, like a good many of his predecessors, has come to that office from commander in chief of the United States Fleet to take part in and preside over the deliberations of the General Board and assist in making recommendations for a navy which the United States should have.

The hearings before the General Board are frequently large gatherings and are intended to embrace all experts who can throw any light on the questions under consideration. The officers and civilians attending these hearings are not only from Washington but from many other places and often include officers from the fleet with latest experience and practical knowledge. Also written reports and comments are obtained when personal attendance is not necessary nor practicable.

In 1922 the General Board was required to make exhaustive investigations to establish a United States naval policy, giving due consideration to the treaty for the limitation of naval armament, usually referred to as the Washington treaty. Weeks were occupied in obtaining all possible information and in studying the information. The Chief of Naval Operations, the commander in chief of the fleet, the representatives of the several bureaus and offices of the Navy Department, and also many others were consulted. The naval policy, as approved by our Government May 16, 1922, defined the requirements of the fleet as follows:

I will not read that all the way through, but only that part which refers to the treaty. It is here in the statement and can be made a part of the record.

The first heading is "Building and Maintenance Policy." Then it refers to capital ships and to aircraft carriers. Then under cruisers it says:

CRUISERS

"To complete 10 light cruisers of the *Omaha* class now building."
(Those are the 6-inch cruisers.)

"To replace all old cruisers by building 16 modern cruisers of 10,000 tons displacement carrying 8-inch guns, and in addition to lay down and build cruiser tonnage at least equal to the cruiser tonnage hereafter laid down by Great Britain.

"To maintain a cruiser tonnage at least one and two-thirds times that of Japan.

SMALL CRUISERS AND GUNBOATS

"To build no small cruisers."

I might state that "small cruisers" means anything below 8-inch-gun cruisers and with 10,000 tons displacement.

The CHAIRMAN. "Small cruisers" means anything below 10,000 tons displacement with 8-inch guns?

Admiral BRISTOL. Yes. Under destroyers it says:

"To complete those destroyers now building.

"To maintain effective destroyer tonnage at least equal to that of Great Britain and at least one and two-thirds times that of Japan.

"To lay down destroyer leaders first when it becomes necessary to undertake new-destroyer construction.

"To scrap no destroyer unless its material condition or its military characteristics make it undesirable for retention.

"To make no further permanent structural changes in existing destroyers with a view to their assignment to mine laying, scouting, or other special operations.

SUBMARINES

"To complete submarines now building.

"To maintain effective submarine tonnage at least equal to that of Great Britain and at least one and two-thirds times that of Japan.

"To develop and build 12 scout submarines and 12 mine-laying submarines and thereafter to limit new construction to that necessary to maintain the ratios of submarine tonnage indicated above.

"To scrap no submarine unless its material condition or its military characteristics make it undesirable for retention.

AIR POLICY

"To complete rigid airships now under construction and to determine from their performance in service the desirability of further construction."

The CHAIRMAN. What is the date of this?

Admiral BRISTOL. That was May 16, 1922, after we had negotiated the Washington treaty, and with the idea that it would probably go into effect.

In 1928 the General Board was directed to consider a revision of the naval policy in order to make any corrections which time and ex-

perience might dictate. The United States naval policy as revised was approved October 6, 1928, and is still in effect. The procedure and methods by which this revised policy was promulgated were practically the same as employed to develop the original one. This present policy defines the requirements of the fleet as follows. Again it refers to maintenance and building policy:

BUILDING AND MAINTENANCE POLICY

"To build and maintain an efficient well-balanced fleet in all classes of fighting ships in accordance with the capital ship ratios; and to preserve these ratios by building replacement ships and by disposing of old ships in accordance with continuing programs.

"To make superiority of armament in their class an end in view in the design of all fighting ships.

"To provide for great radius of action in all classes of fighting ships."

Capital ships are the same as the old, and it does not refer to this treaty especially.

Aircraft carriers is the same as the previous policy, and so it does not refer to this.

In cruisers the provisions of this policy are exactly the same as the old, except as to sixteen 6-inch-gun cruisers referred to in the cruiser class which are not included in this. Under cruisers it says:

"To support the fleet and protect our commerce, replace all old cruisers with modern cruisers of 10,000 standard tons displacement carrying 8-inch guns and, in addition, to build similar cruisers at a rate that will maintain effective cruiser tonnage in conformity with the capital-ship ratios as established by the Washington treaty limiting naval armament.

SMALL CRUISERS AND GUNBOATS

"To build no small cruisers.

"To build replacement gunboats as required."

Destroyers is the same as the other, and submarines is the same as the other, and the aircraft policy is the same; so that it will be noted that this revised policy is the same as the one approved the 16th of May, 1922, over six years before.

This policy has been recognized for eight years as prescribing the development of our Navy. The regulations and long-standing customs of the Navy require officers to initiate and submit recommendations for the better administration and development of the Navy. The lack of such recommendations regarding the established naval policy is conclusive that it was accepted by the Navy as a whole.

The General Board is required to advise the Secretary of the Navy:

(a) Respecting the number and types of ships to constitute the fleet of the United States Navy.

(b) Regarding the military characteristics to be embodied therein.

(c) To recommend the naval building program each year for replacement of obsolete ships and for increase of the Navy.

The building program recommended on April 7, 1923, was based upon the belief that the Washington Treaty for the Limitation of Armaments would be ratified, also upon the naval policy adopted by the Government.

That is the policy of the 16th of May, 1922.

The following is quoted from the above recommendation.

I think I will leave those out, with your permission, because it is practically a repetition of the policy.

In that same report it was recommended that twenty 8-inch 10,000-ton cruisers were necessary to bring our cruiser tonnage up to the Washington treaty ratios established for capital ships, and that 12 of these cruisers should be built. In 1924 the General Board pointed out very emphatically that our battleships were not on a parity with those of other nations and also recommended building sixteen 10,000-ton 8-inch ships without delay. In 1925 it was recognized that six 8-inch cruisers had been authorized by Congress and it was urged that two more should be authorized at once, and recommended two a year to build up a proper strength in modern cruisers. In 1927, 1928, and 1929 the board repeated its recommendations to continue building vessels for our Navy to conform to the United States naval policy, and particularly urged the building quickly of 8-inch cruisers; and developing the categories of aircraft carriers, destroyers, and submarines to obtain the 5-5-3 ratios for the whole fleet as soon as possible, likewise to modernize the battleships.

In 1927 a special 5-year building program was recommended for the same purposes. This program was prepared after the Geneva conference and was based on the assumption of Great Britain's announced building program for 8-inch-gun cruisers up to and including the year 1929 and laying down an average of about 30,000 tons each year for the next four years. According to the above program Great Britain would have had 336,000 tons of such cruisers in 1936, and 177,636 tons of cruisers mounting guns of less caliber than 8-inch. The program for the United States would have provided for completing in 1932, 130,000 tons of 8-inch cruisers and having laid down or building in 1936, 150,000 tons, a total of 280,000 tons. There would have been 10 cruisers of the so-called *Omaha* class of 70,500 tons which were the result of the 1916 building program. It must be particularly remembered that they were recommended as a part of our fleet when six

battle cruisers were to be built. Since the Washington treaty whereby the battle cruisers were scrapped only 8-inch cruisers have been recommended. Also it was specifically recommended to build no more light cruisers—6-inch-gun cruisers. Further, remember that Great Britain, if she scraps five capital ships now, will have three of these battle cruisers remaining with 31.5 knots speed.

This 5-year program further provided for building 77,400 tons of new destroyers; 72,687 tons of submarines, 69,000 tons of aircraft carriers, and laying down 175,000 tons of battleships, and a 5-year building program of airplanes. If this building program had been completed, the cost by 1936 would have been:

Five-year building program of 1927

	Tons	Cost
Battleships.....	175,000	\$185,000,000
Cruisers.....	280,000	476,000,000
Destroyers.....	77,400	178,000,000
Submarines.....	72,687	214,000,000
Aircraft carriers.....	69,000	95,000,000
Airplanes, 5-year program.....		210,000,000
		1,358,000,000
Total tonnage of ships.....	674,087	1,148,000,000
Plus airplanes.....		210,000,000
Grand total.....		1,358,000,000

If the provisions of the London treaty are carried out by 1936, the expenditure for construction of new ships will be as follows:

Cost of London treaty in net construction if all ships are built in accordance therewith

SHIPS COMPLETED DECEMBER 31, 1936

Class	Tons	Cost per ton	Total cost
16 8-inch cruisers.....	160,000	\$1,700	\$272,000,000
10 6-inch cruisers.....	73,000	1,855	135,415,000
Destroyers.....	150,000	2,790	418,500,000
Submarines.....	32,710	3,375	110,396,250
Aircraft carriers.....	69,000	1,377	95,013,000
Total.....	467,100		1,031,324,250

¹ Includes sixteenth CL, which lays down in 1933.

² Includes 7,610 tons which lay down in 1935 to replace tonnage obsolete in 1937.

The CHAIRMAN. That, of course, leaves out the replacement on battleships?

Admiral BRISTOL. Yes; we have no battleships under that. Then there is the following table:

Amounts spent on ships building December 31, 1936

Class	Tons	Total cost	
8-inch cruisers.....	20,000	\$25,500,000	Lay down in 1934 and 1935 in accordance with treaty.
6-inch cruisers.....	14,100	7,791,000	Lay down in 1936 to replace 2 Omahas reaching age in 1939.
Submarines.....	5,310	8,960,625	Lay down in 1936 to replace tonnage obsolete in 1938.
Total.....	39,410	42,251,625	

Therefore, total cost of London conference to December 31, 1936, \$1,073,575,875.

Thus the expenditures by the London treaty would be less than the 5-year building program by about \$285,000,000.

The CHAIRMAN. And of that \$285,000,000, how much would be taken up in battleship replacement?

Admiral BRISTOL. I have pointed out that in 1936 we would have scrapped 8 battleships, having 15 remaining, of which 5 would be of the latest design, new at that time. They would be of the latest design, new ships, instead of old ships.

Also, we would have twenty-eight 8-inch cruisers, the type we need, instead of 18, and a number of 6-inch cruisers, which are not suited to our needs; also the categories of destroyers and submarines would be in a better condition.

You see, also the destroyers that are up for replacement under the 5-year building program.

The CHAIRMAN. Also, would we not have spent a great amount on the replacement of the additional battleships that would not have been in commission in 1936 had we carried on the replacement program under the Washington treaty and should not that be added?

Admiral BRISTOL. That would be added if you laid it down—if we laid down the complete program. But I took it, if we built at that time—

The CHAIRMAN. Obviously, Admiral, if we are going to build the battleships later, we are simply putting off their replacement at the present time. You can not call that another saving for us.

Admiral BRISTOL. No, sir; not at all.

The CHAIRMAN. It is simply deferring the replacement.

Admiral BRISTOL. Yes. You asked me a question a minute ago along that line. For instance, \$285,000,000 is the difference between the London treaty and our 5-year building program. The cost of five ships would have been \$185,000,000. That is to say, we only spent out of the \$285,000,000, \$185,000,000 for the five new battleships.

The CHAIRMAN. Which would have brought it down to about \$100,000,000 less under the London treaty, instead of \$285,000,000?

Admiral BRISTOL. Yes; if we had not built the five ships.

The CHAIRMAN. And also, have you not got to take into account the other vessels which would have been building in 1936, if the battleships had not been replaced according to the Washington treaty?

Admiral BRISTOL. Yes; but you will see we would have had 28 instead of 18 of the 8-inch-gun cruisers.

The CHAIRMAN. I am talking about battleships now.

Admiral BRISTOL. Yes; but we have not gone about to analyze it in that way, because I think on the face of it it shows such a far superior navy in 1936 as compared to this London treaty.

The CHAIRMAN. Very well; proceed.

Admiral BRISTOL. The records of the General Board show that since 1921 one of the military characteristics recommended from year to year for cruisers for the United States Fleet has been for 8-inch guns.

The recommendations of the General Board were arrived at by extended investigations conducted and deliberated upon by officers of the highest standing in the Navy, with exhaustive and accumulating evidence from large numbers of other like officers of all kinds of knowledge and practical experience. Thus for over seven years the United States has had a consistent and almost unvaried policy which was based upon the evidence and ideas of the best minds of our Navy. Can anyone doubt that the recommendations of the General Board and the United States naval policy, which guides our Navy, represent the consensus of the best technical naval opinion?

The General Board has consistently and with a continuing policy recommended a fleet second to none, but not to be maintained in competition with the fleet of any other nation, believing that thus our fleet would best deter any nation from making war upon the United States and be the greatest stabilizer of world international relations and therefore the best possible influence for preserving peace.

In order to provide a fleet second to none there must be some measure of what is parity, and especially between the naval strengths of Great Britain and the United States. The measure of parity was admitted at the conference in Washington in 1921-22 for certain categories of naval vessels—namely, battleships and aircraft carriers—and by tacit or outspoken admission ever since has become recognized. The General Board has become convinced that the only just and fair parity must be based upon an equal number of tons of displacement assigned to the fleets of Great Britain and the United States, and the ratios for other fleets should be based upon the above tonnage. This principle was definitely recognized in the Washington treaty.

I would like to add here by reading an extract from the records of the Washington treaty.

The CHAIRMAN. Admiral, I would like to take up the London treaty with you later on; or, if you would rather take it up now, do so.

Admiral BRISTOL. It will only take a minute. This is not very long.

The CHAIRMAN. All right.

Admiral BRISTOL. Referring to the established and agreed record of the naval conference, it reads as follows:

"It was a proposal of sacrifices, and the American Government, in making the proposal, at once stated the sacrifices which it was ready to make and upon the basis of which alone it asked commensurate sacrifices from others.

"The American plan rested upon the application of these four general principles:

"(1) That all capital ship building programs, either actual or projected, should be abandoned;

"(2) That further reduction should be made through the scrapping of certain of the older ships;

"(3) That the capital-ship tonnage should be used as the measurement of strength for navies and a proportionate allowance of auxiliary combatant craft prescribed."

"There was general agreement that the American rule for determining existing naval strength was correct; that is, that it should be determined according to capital-ship tonnage."

"The American Government submitted to the British and Japanese naval experts its records with respect to the extent of the work which had been done on the ships under construction, and the negotiations resulted in an acceptance by both Great Britain and Japan of the ratio which the American Government had proposed."

That is 5-5-3.

"Before assenting to this ratio the Japanese Government desired assurances with regard to the increase of fortifications and naval

bases in the Pacific Ocean. It was insisted that while the capital-ship ratio proposed by the American Government might be acceptable under existing conditions, it could not be regarded as acceptable by the Japanese Government if the Government of the United States should fortify or establish additional naval bases in the Pacific Ocean.

"The American Government took the position that it could not entertain any question as to the fortification of its own coasts or of the Hawaiian Islands, with respect to which it must remain entirely unrestricted. Despite the fact that the American Government did not entertain any aggressive purpose whatever, it was recognized that the fortification of other insular possessions in the Pacific might be regarded from the Japanese standpoint as creating a new naval situation, and as constituting a menace to Japan, and hence the American delegation expressed itself as willing to maintain the status quo as to fortifications and naval bases in its insular possessions in the Pacific, except as above stated, if Japan and the British Empire would do the like. It was recognized that no limitation should be made with respect to the main islands of Japan or Australia and New Zealand, with their adjacent islands, any more than with respect to the insular possessions adjacent to the coast of the United States, including Alaska and the Panama Canal Zone, or the Hawaiian Islands. * * *

"It was finally agreed that the status quo should be maintained as to both these groups."

The CHAIRMAN. Without any question, our agreeing not to fortify our islands in the Pacific was the reason for the Japanese accepting the ratio of 5-5-3?

Admiral BRISTOL. That is what is stated here.

The CHAIRMAN. It is so stated in the record.

Admiral BRISTOL. It is so stated in the record, although it is not written in, of course, into the treaty; but it is in the record of the proceedings of the conference.

The CHAIRMAN. Yes.

Admiral BRISTOL. This principle was definitely recognized in the Washington treaty, in which it was stipulated that the tonnage in battleships for Great Britain would be 525,000 tons and for aircraft carriers 135,000 tons, and the United States an equal amount that is parity in these two categories of naval vessels, and the ratios for the fleets of the contracting nations should be 5 for Great Britain, 5 for the United States, 3 for Japan, and 1.75 each for France and Italy. The General Board has not been able, after eight years of study, to see any just reason or reasons for changing the principles then established, but on the contrary is firmly convinced that limitation in armaments should be based upon tonnage for categories with each nation concerned exercising its sovereign right to utilize this tonnage to build ships best suited to her fleet and to her national security. Also, that the recognized categories of the fleet are battleships, cruisers, destroyers, submarines, and aircraft carriers. These categories are based upon the functions of the vessels in each case. It is necessary to specify the maximum size of the units in each category and of the caliber of guns in order to reasonably restrict the type of ship design, but any further restriction is totally unfair and unjust. Initiative, ingenuity, and special national requirements must guide each nation in utilizing the tonnage assigned. The technical requirements of vessels of war, such as speed, armament, and defensive powers, and arranging the proper balance between these are the real limitations upon the use of any prescribed amount of tonnage for a category of naval ships.

The object of the tripartite conference held at Geneva in 1927 by Great Britain, Japan, and the United States was to reach an agreement to limit the categories of the respective fleets which had not been limited in the Washington treaty. The General Board was required to prepare the agenda of that conference and during its progress to study new questions arising therefrom and submit further recommendations. The preliminary work was practically continuous for three months. This conference started with the assumption that the three powers agreed upon (a) no competition in building naval armament; (b) maintenance of navies at lowest level compatible with national security; (c) keeping naval construction at a minimum for the sake of economy; and (d) adoption of the methods and principles set forth in the Washington treaty as being practical and effective.

In other words, this harked back to the decisions arrived at in the Washington treaty.

The United States proposed total tonnage limitations which, if taken in conjunction with the Washington treaty, would have resulted in the United States having in 1942 the following at a total cost of—

Cost of United States proposal at Geneva and carrying out Washington treaty

Battleships.....	\$525,000
Aircraft carriers.....	135,000
	A B
Cruisers.....	250,000-300,000
Destroyers.....	200,000-250,000
Submarines.....	60,000-90,000

The cost of construction would be as given in the statement. I will not read it all. I will give you the total cost as given for the maximum and minimum limits of tonnage as we had proposed.

The CHAIRMAN. That is at the Geneva conference?

Admiral BRISTOL. Yes; at the Geneva conference.

The cost would have been, the total cost of ships completed to 1942, \$1,087,558,000, for the minimum proposed distributed over about 12 years.

If we had taken the maximum of our proposal, it would have cost \$2,014,058,000.

Eight cruisers will become "overage" by 1943-1945, and at the end of 1942 there would have been spent on them in replacement, \$68,000,000.

This would make a grand total spent in 1931 to 1942, 12 years, of \$1,755,872,500 as a minimum and, as a maximum, \$2,082,372,500.

Average per year for 12 years, \$146,323,000 in one case and in the other case \$173,531,000.

It is to be noted that, at the minimum limit, we would have a tonnage of 7,300 submarines, over what the London treaty calls for, and 50,000 tons of destroyers; the cost of these two items would total \$164,000,000, which should be subtracted from the above figures.

In the following table is given the cost of the London treaty in comparison to the above, from 1931 to 1936.

Cruisers, subcategory (a), 16 cruisers of subcategory (a) can be completed by 1936 at a cost of \$187,000,000.

The money spent on the seventeenth and eighteenth cruisers would be \$25,500,000.

In the subcategory (b), 73,000 tons can be completed by the end of 1936, and 14,100 tons can be laid down in 1936 to replace two *Omahas* becoming "over age" in 1939; \$135,415,000.

Spent on replacement by the end of 1936, \$7,791,000.

For submarines there would be a total of \$111,214,000.

In 1936 there must be laid down 5,310 tons to replace tonnage becoming over age in 1938. That cost to the end of 1936 would be \$9,027,000.

For destroyers the figure is \$418,500,000.

For aircraft carriers it is \$95,013,000.

The total cost over six years, 1931 to 1936, is \$989,460,000.

The average cost for the six years is \$164,910,000.

The CHAIRMAN. Over a longer period of time?

Admiral BRISTOL. Over a longer period of time; or the annual cost would have been about the same in both cases, or a little less in the 12-year program than in trying to build the London treaty. But when you had finished with the London treaty you would have gotten a lot of ships we do not want, and we have not got the new battleships we would have had in the other case.

The conference of Geneva really failed because Great Britain claimed a cruiser tonnage which in no way represented a reduction of armaments but a real increase, with great expenditures of money by all three countries. Great Britain, in spite of the Washington treaty, put forward a claim for dividing the cruiser category into two classes, which, if agreed to, would have been very much against United States interests.

To quote from the records of the conference the following is an extract of a statement by the Hon. Hugh Gibson:

"The immediate and obvious result of acquiescing in these British proposals would have been that the British Empire would have been able to build exactly what it desired; and that we, on the other hand, would be restrained from building what we consider we might need and yet the tonnage level insisted on by the British Empire would result in a substantial increase even over present strength."

The United States delegation did suggest that the American requirements regarding cruisers of the larger class could be revised downward if it were possible to agree upon a figure materially lower than 400,000 tons for cruisers, but this proposal for a compromise also failed.

If the London treaty had not been negotiated and if we had continued to carry out the Washington treaty for replacing battleships and at the same time completed the fifteen 8-inch cruisers, the 12 destroyers, the 9 submarines, and the 1 aircraft carrier already authorized, we would have had in 1936 5 new battleships, 23 cruisers of the type best suited to our Navy, made progress in replacing old destroyers and submarines at a total cost as follows, which is less than the London-treaty program.

It shows that if we had gone ahead with our building program as laid down before we went to the London conference we would have had by 1936 a total cost of \$849,000,000.

The CHAIRMAN. How many destroyers would you have contemplated having under that plan?

Admiral BRISTOL. I did not take into this anything more than the 12 that had been authorized; but it would take five new battleships; and we would have built one aircraft carrier, and would have completed building twenty-three 8-inch-gun cruisers and 12 destroyers and 9 submarines.

The CHAIRMAN. Of course, we would have had replacements to make in obsolete ships before that time.

Admiral BRISTOL. Yes; but even if we had built them, it would have cost us only \$849,000,000, and we would have five new battleships in the meantime.

The CHAIRMAN. But, of course, we would have had to spend more money for ships becoming obsolete during that time.

Admiral BRISTOL. If we had spent it; but that was what had been authorized and in sight when we went to the conference. That gives you the record of the General Board.

Now, I have the following remarks to make on behalf of myself:

In preparing myself to serve as a member of the General Board, having come to the General Board the 1st of last December as a member, and later, in March, becoming its chairman, it was necessary for me to go over the records of the board to find out what had been done in the past, and also in order to give you a brief and succinct statement of that board's recommendations bearing upon the question of the London treaty from my review of the records.

I have confirmed my belief that I am in full accord with the recommendations of the General Board, which I believe also express the consensus of opinion of the Navy.

If the London treaty is finally ratified, it is necessary to consider if it will develop an international feeling of good will and mutual respect generally, or, even between the five contracting powers, which feeling is essential to the preservation of peace in the world. Was it necessary to negotiate such a treaty at this time? Does this treaty provide for limitation of armaments? Reduction of armament? And has it really reduced the cost to the United States of the Navy which we should have, second to none, to preserve peace by deterring other nations from disregarding or lightly considering our legitimate rights? Is the treaty a square deal?

If it was necessary to come to an agreement for limitation of armaments, were we justified in giving up our naval policy most carefully prepared and observed for over seven years? Is it for our best interests to abandon the principles with regard to parity which were established by the Washington conference, claimed at the Geneva conference, supported by our Government's policy, and confirmed by Congress? Is it fair that we should agree to other nations defining the number and types of ships we require for our fleet in any category? Will it be to our disadvantage to put off replacing our battleships and developing our Navy economically and suited to our needs?

Mr. President, it should be remembered that these wise words were spoken by a man who has proved himself in years gone by to be a great diplomat, one of the greatest diplomats our country has produced, as well as one of the greatest admirals we have had in our Navy, and one of the foremost naval authorities. These words of warning should not fall on deaf ears. We should take them to heart. We should realize that the day may come, though we hope it never will, when we will have cause to look back on these prophetic words, these words of warning, which, if followed, may save our country from a terrible calamity in the future.

Mr. McKELLAR. Mr. President—

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator from Nevada yield to the Senator from Tennessee?

Mr. ODDIE. Certainly.

Mr. McKELLAR. Does not the Senator know it is very unpopular to praise members of the Navy now?

Mr. ODDIE. I know that such has been the case in countries which have crumbled and fallen, but I hope the time will never come when we will find it necessary, in order to carry out a national policy or anything else, to slur or belittle the officers of our Navy. We know that in the last war there was no belittling of our naval officers. We know how well they did their work.

Mr. McKELLAR. They have done their duty not only in the last war but in every war in which the United States ever fought.

Mr. ODDIE. Yes; since the beginning of our history.

Mr. McKELLAR. Yes; and it does seem to me that they are entitled to the greatest respect and admiration and esteem; but to-day, under the new régime, under the reign of internationalism, it is very unpopular, certainly in this body, for a Senator to rise and defend an official in the Navy of the United States.

Mr. ODDIE. I will ask permission to have the remainder of Admiral Bristol's remarks printed in the Record without reading.

The VICE PRESIDENT. Without objection it is so ordered. The matter referred to is as follows:

Admiral BRISTOL. I desire to point out the necessity of avoiding the establishment of bad precedents by the London treaty which might readily embarrass us in future negotiations. These precedents seem to me very evident, but, as examples, what will result if we accept the proposed ideas of parity and changes in ratios? Started along these paths, where will we stop?

The CHAIRMAN. Admiral, it is very difficult, in estimating the matter of expense, to know just what we would have had to build up if the London treaty had not been negotiated, is it not?

Admiral BRISTOL. There would not have been anything definite in regard to what we should have built up.

The CHAIRMAN. What we would have done would depend to some extent, would it not, upon what other countries did?

Admiral BRISTOL. The General Board had continually recommended certain building, based upon those ideas exactly. It was always a question what Great Britain and Japan had actually built and what they publicly had stated they were going to build.

The CHAIRMAN. Now, Admiral, should the British and the Japanese have to replace their very expensive battleship program, they would have had enormous expenses on that account up to 1936, would they not?

Admiral BRISTOL. Quite right. It would have amounted, as I state in here, to practically the same as our own. They would have had \$185,000,000 for Great Britain and of proportionately less for Japan.

The CHAIRMAN. Plus the ships that were not completed?

Admiral BRISTOL. That were being built at that time, which would have carried it up to \$200,000,000 and more.

The CHAIRMAN. That being true, with that enormous expense facing them, either they would not have completed their replacement program of capital ships or they would have had to cut down in some other category, either in building additional construction or in replacing old construction?

Admiral BRISTOL. I think that is evident from the fact that on the 31st of March of this year the British had a deficit in their budget of \$70,000,000, and in the estimates for the ensuing year—that is, for the next fiscal year—there was \$250,000,000 more than the estimate of taxes receivable.

The CHAIRMAN. And had they not, therefore, gone ahead with new construction, and had they not replaced much of their old construction, we would have been able to make similar reductions in our program, would we not, and therefore our expenditures would have gone down?

Admiral BRISTOL. We could have put off replacing our battleships at any time we wanted to. If they did not replace, we, in the same way, need not replace our battleships.

The CHAIRMAN. Because the relative strength of navies is all that we want to keep up, is it not?

Admiral BRISTOL. We want to keep up relative strength of navies, that is all—on a parity, that is, and fully equal to Great Britain, and one and two-thirds times that of Japan.

The CHAIRMAN. And if we found ourselves with a lot of old ships that we did not care to replace, and they found themselves also in the same condition, with a lot of old ships that they did not care to replace, matters would have probably gone along in the status quo, and we would not have had to make the enormous expenditures to which you refer; is not that probably true?

Admiral BRISTOL. I felt that Great Britain and Japan would desire not to be required to replace their capital ships.

The CHAIRMAN. Therefore, by this putting off of the replacement program of battleships, we have really turned in to Great Britain and Japan a large fund on which they can draw to bring up their auxiliary vessels, have we not?

Admiral BRISTOL. There is no question about that. That is correct.

The CHAIRMAN. As far as the actual cruiser program is concerned, the cruiser bill provided for fifteen 10,000-ton 8-inch-gun cruisers at a cost of \$17,000,000 per cruiser. That would have amounted to \$255,000,000, would it not? Your figures of cost may differ slightly.

Admiral BRISTOL. I will just look up the total so that I can answer you intelligently. Yes; that is practically the same.

The CHAIRMAN. And under the London treaty we are to construct 10 of these cruisers, although 2 of them do not come in—are not finished—until after the expiration of the treaty?

Admiral BRISTOL. There are two of them; that is right.

The CHAIRMAN. Therefore, if you consider that we have to build 10 of them, that will be \$170,000,000; and the cost of building the 73,000 tons of 6-inch-gun cruisers, I believe, is estimated at \$136,515,000?

Admiral BRISTOL. Yes; I have it here as \$135,000,000.

The CHAIRMAN. You call it \$135,000,000?

Admiral BRISTOL. It is immaterial.

The CHAIRMAN. That would give the cost of completing the cruiser program under the London treaty at substantially \$305,000,000; is not that correct?

Admiral BRISTOL. Substantially. I have it here, \$330,000,000.

The CHAIRMAN. I do not see how you get that.

Admiral BRISTOL. Fifteen cruisers of subcategory (a) can be completed by 1936. No; I am talking about the new ones. You mean added to what we have now?

The CHAIRMAN. Eight of our cruisers are already built and building now. I am talking about the cruiser bill program for 15 cruisers, of which we are to build 10, although 2 of them do not come in until after the end of the treaty; and \$135,000,000 to complete the cruisers included in the treaty. That makes \$305,000,000?

Admiral BRISTOL. Yes.

The CHAIRMAN. That is substantially \$50,000,000 more on the cruiser program, under the London treaty, than we would have had to spend under the existing cruiser program; is not that true?

Admiral BRISTOL. That is true; yes.

The CHAIRMAN. And in your opinion, with what we would get under the London treaty, would we have as strong a cruiser force as we would have had if we had completed the 15-cruiser program?

Admiral BRISTOL. No; we would not have as good a cruiser force.

The CHAIRMAN. Had we completed the 15-cruiser program we would have had twenty-three 10,000-ton, 8-inch-gun ships, and the 10 of the Omaha class that we now have?

Admiral BRISTOL. Exactly; and we would have 300,500 tons of cruisers.

The CHAIRMAN. And under the London treaty program we will have—

Admiral BRISTOL. We will have 16; 160,000 plus 142,000. We will have 303,000 tons. It is practically the same.

The CHAIRMAN. Three hundred and three thousand tons; or, if you count the two that will have been completed afterwards, 323,000 tons?

Admiral BRISTOL. I do not think you can count those exactly.

The CHAIRMAN. No; I do not think you can count them during the life of the treaty; but even if you could count them?

Admiral BRISTOL. That is 323,000 tons.

The CHAIRMAN. When you said they were practically the same, you meant in tonnage?

Admiral BRISTOL. In tonnage. It is 300,500 tons in one case, and 303,000 tons in the other case.

The CHAIRMAN. In your judgment, would 300,500 tons, that we would have had had we completed the cruiser program, have been stronger and better cruiser force for us?

Admiral BRISTOL. A very much better cruiser force.

The CHAIRMAN. Better than the other one, even counting the ten 8-inch-gun cruisers, two of which will not be finished until after the treaty expires?

Admiral BRISTOL. We would have had a much better force, in my opinion.

The CHAIRMAN. What?

Admiral BRISTOL. Yes; it would have been very much better to have twenty-three 8-inch-gun cruisers, and ten cruisers, than to have eighteen 8-inch-gun cruisers and 143,000 tons of 6-inch-gun cruisers.

The CHAIRMAN. Will you inform the committee why you prefer the 8-inch-gun cruiser to the 6-inch-gun cruiser?

Admiral BRISTOL. May I state, first, that I feel that we should be given a certain number of tons of cruisers, and make that a parity with Great Britain? Then, we should be allowed to build that in any way we please, either as 8-inch-gun cruisers or as 6-inch-gun cruisers. That policy which we established and which we are willing to abide by also is based upon allowing England to do exactly the same thing. It is not that we claim something for ourselves that we are not willing that she should have also.

The CHAIRMAN. You have no use for any yardstick plan?

Admiral BRISTOL. No use for any yardstick plan. It is not possible to use a yardstick except, maybe, at a given moment, with an established force to work out, maybe, some kind of a comparison between ships of larger guns with ships with smaller guns; or a ship of a greater age with a ship of less age. But the minute you pass beyond that amount it changes again.

The CHAIRMAN. Practically as was done in the letter of the General Board of September 11, where they tried to reach some basis of parity with Great Britain in 1936?

Admiral BRISTOL. That is all; and it was stated at the time that the letter was based upon the idea that the proposed parity would only extend to 1936; that it never would extend beyond that.

The CHAIRMAN. And from then on?

Admiral BRISTOL. From then on, you have new conditions.

The CHAIRMAN. Equal tonnage would be insisted upon?

Admiral BRISTOL. Equal tonnage would be insisted upon. The board, for instance, as you know, in that report reiterated its recommendation that the parity should be established upon the basis of tonnage and not any other basis.

The CHAIRMAN. Admiral, some criticisms have been made of the General Board for taking an attitude that has been claimed to be hostile to the treaty? Who are the responsible advisers of the Secretary of the Navy? Are they not the General Board?

Admiral BRISTOL. The regulations of the Navy require us to recommend the number and type of ships and the military characteristics of the ships for the Navy; and we consider it our duty to make those recommendations, not only when they are called for but at any time it may be necessary to advise the Secretary.

The CHAIRMAN. The General Board, in the case of the present treaty, has not sought to be heard on these matters before Congress, has it?

Admiral BRISTOL. On the contrary, I can tell you that we would rather not have come up here.

The CHAIRMAN. And you have come up here because you have been summoned by the committees of Congress?

Admiral BRISTOL. We have been summoned by the committees of Congress. But I might add that there have been certain statements in the press in regard to the General Board which would induce any one

of the General Board to have the desire to see the whole truth in regard to the matter placed before the committees.

We have no desire to take any attitude of making a case for or against the treaty. We naturally, I was going to say, criticize it, but you can not help but appear in the light of being critical if you state something which is a fact which is different from the conditions of a treaty. That is unfortunate, but, of course, that is a condition that we must accept.

The CHAIRMAN. All that this committee is trying to do, Admiral, is to find out the effect of the treaty on the national defense of the country. Is it not very natural for us to come to the General Board and find out what its opinions are on this matter?

Admiral BRISTOL. It would seem so.

The CHAIRMAN. Is there any other agency of the department which, to your knowledge, we could better go to for knowledge than to the General Board?

Admiral BRISTOL. I do not know of any other agency where you could better obtain the information, because, as I stated, in reading my statement, the General Board tries to get every possible piece of information relating to any question which affects the Navy.

Senator ODDIE. And is it not in a much better position to get that information than any other body of men?

Admiral BRISTOL. We are in a better position for two reasons—first, because we are required to make a recommendation and therefore are naturally impelled to get every bit of information; and in the second place, we are required to make those reports.

Senator ODDIE. And furthermore, Admiral, the General Board is composed of men who have given a lifetime to the study of these technical questions, and, in my opinion, know more about them than any other men in any other line of business or industry.

Admiral BRISTOL. That is true of the naval members, but, in addition to that, we do not go alone on our own opinion; we weigh the testimony and the evidence that is placed before us and try to see that in accordance with all information we have before this board the facts are established.

When it comes to the recommendations, then the board, utilizing the facts thus established, do make recommendations, so that it is not really the opinion of the members of the board but the opinion of the Navy that is on record. You will find in our records of hearings where officers of all grades and ranks from the Navy Department, the fleet, and other places in the country have come there and given their testimony. You will in addition find records of reports that have been sent in on request made from the board by radio or by letter to some division of the fleet for a report.

Senator ODDIE. In other words, it stands in relation to the naval defense of the country as a clearing house in a city stands in relation to the banks of a city?

Admiral BRISTOL. Yes; it is very much the same.

Senator ODDIE. You said that you have spent a number of years in the Orient?

Admiral BRISTOL. I have been there three times, and altogether about seven years. The last time I was there for two years in command of the fleet, leaving there the 10th of September last.

Senator ODDIE. And you have made a special study of conditions relating to the fleet in all sections of the world, all portions where the fleet goes?

Admiral BRISTOL. I have done a great deal of that since I have come here to the General Board and, naturally, at all times I have been thinking about such things. Lately I have been more especially interested in questions pertaining to the Near East and to the Far East. The Near East is around the countries of Turkey, Greece, Bulgaria, and Russia. The Far East takes in China, Japan, the East Indies, and Siberia.

The CHAIRMAN. Admiral, as commander in chief of the Asiatic Fleet, you were in a position to be thoroughly familiar with the situation in the Orient, were you not?

Admiral BRISTOL. I think that the fleet out there has just as much opportunity as anybody else, or any other of our governmental departments, of obtaining information, because our ships go from one end of the station to the other, and we are required by our regulations to prepare reports in every port to which we go in regard to the political situation, the military situation, economic situation, or anything else.

The CHAIRMAN. For meeting the problems in the Orient do you feel that we are hampered by not being allowed to fortify and develop our island bases in the Pacific?

Admiral BRISTOL. I think we gave up one of our sovereign rights when we agreed not to fortify the Philippines or to increase the naval facilities in those islands.

The CHAIRMAN. Also in Guam.

Admiral BRISTOL. Also in Guam. Of course, it may have been that at the time the Washington treaty was made there were political reasons why that should be done, but it was certainly giving up a real sovereign right of the United States.

The CHAIRMAN. For operations in the Orient what would you say our ratio with Japan should be in order to give us equal strength?

Admiral BRISTOL. I believe if we continue the provisions of the Washington treaty, especially the one in regard to fortifications and naval bases, that 5-3 is a fair ratio between us.

The CHAIRMAN. Does it give us any edge over them?

Admiral BRISTOL. I do not think it does.

The CHAIRMAN. It would enable us to meet them on practically even terms?

Admiral BRISTOL. I think so.

The CHAIRMAN. Under the provisions of the London treaty do you consider that that ratio has been changed?

Admiral BRISTOL. The ratio has been changed, and in one particular respect, in regard to the submarines. Submarines for us to a great extent a defensive weapon, not only for our interests at home, the Panama Canal Zone, and Hawaii, but for the Philippine Islands; and it is easy to see that if we reduce the number of submarines we have got to substitute for defenses of those places other ships. So it works two ways. That is, you not only reduce the submarine, but you reduce your fighting force to take the place of submarines; and as you remember in the Spanish War the clamor of our people for protection of our coasts with few fighting ships for that purpose.

Submarines are very useful as defensive weapons to keep vessels from raiding our coasts.

The CHAIRMAN. Do you regard them as of great advantage to accompany the fleet?

Admiral BRISTOL. There is a good deal of division of opinion on that subject. I think the majority of opinion is in favor of not utilizing the submarine directly with the fleet; but they might very easily be utilized in conjunction with the fleet in, say, some distant screening operations. They are more a defensive weapon than an offensive weapon, I think, so far as we are concerned.

The CHAIRMAN. If you were taking a fleet out into submarine-infested waters would you want to have any submarines along with the fleet?

Admiral BRISTOL. I think it would be better not to have them because submarines do not fight each other, and, therefore, they are no protection to you against other submarines, and there is a possibility that you may have a submarine alarm from your own submarines which would break up your fleet formation, and you may even sink one of your own submarines, mistaking it for an enemy submarine.

The CHAIRMAN. For harbor or island defense, do you consider submarines useful?

Admiral BRISTOL. They are very important in that connection, in my opinion.

The CHAIRMAN. Where would we keep our submarines?

Admiral BRISTOL. We would have them stationed on our coasts wherever it might be, east and west coasts. We would have them at the Panama Canal Zone. We would have them at Hawaii, and we would have them in the Philippines.

The CHAIRMAN. Do you consider that under the limitation that we have reached in this treaty of 52,000 tons of submarines we would have sufficient submarines for that purpose?

Admiral BRISTOL. We have now got to take that question up and study it very carefully. As a first estimate of the situation, without a study of it, I do not believe we have enough tonnage for our purposes.

The CHAIRMAN. And do you feel that we should have kept up the ratio in submarines with Japan at least to the extent of 60-36 that was talked about at the Geneva conference?

Admiral BRISTOL. I think so. We should have maintained the ratio of vessels on the principles, Mr. Chairman, which the Washington treaty established. Great Britain and Japan said they were fair. Since that time I do not know of anything that has occurred which would warrant a change of those ratios. That is to say, the security of Japan certainly is not disturbed.

Then, in addition to that the Kellogg pact has been spoken of as another step toward stabilizing the conditions and making the preservation of peace more easy. Therefore, why should we change the ratio? That is the thought I have.

The CHAIRMAN. And on account of the Kellogg pact you think any reduction that is made should be proportional?

Admiral BRISTOL. That is the way I look at it.

The CHAIRMAN. And you are perfectly clear that the London treaty does change the ratio with Japan?

Admiral BRISTOL. Yes.

The CHAIRMAN. And you do not approve of the change in ratio?

Admiral BRISTOL. I do not believe in the change in ratios.

The CHAIRMAN. I think you have so stated.

Admiral BRISTOL. Yes.

Senator ODDIE. Can you tell us what Japan is supposed to have given us in consideration for our relinquishing the 5-3 ratio under this treaty?

Admiral BRISTOL. I do not think she gave us anything. We gave her something.

My impressions when I was in the Far East were that our relations with Japan were very good, just as good as they had ever been, if not a little better. There was only one possible source of friction and that was over the exclusion act; and that, I feel, could have been adjusted in the future and we could have continued on with our rela-

tions with Japan being very good and improving. So, to me, the idea that Japan had any bad feeling toward us in connection with this doctrine is hard to believe, but that is only my personal opinion.

The CHAIRMAN. Admiral, if the London treaty is ratified and we are no longer able to meet Japan on equal terms in the Orient, what is going to become of the open-door policy and Chinese integrity? Are we going to be in as good a position to maintain those traditional policies as we would have been had the ratio not been changed?

Admiral BRISTOL. I do not believe that we will be in as good a position hereafter as we would have been if the ratios had been maintained and the good feeling and mutual respect resulting therefrom had been continued.

I am afraid that because of this changing of the ratios and the agitation that is going to be the result of it, not only through these investigations that we are having but the things that are going to be printed in the press, ——— the good relations that should exist between Japan and us will be impaired. That is what I am afraid of.

I think, too, that, so far as the open door is concerned, and our policies in China and the Far East are concerned, that if we should maintain a feeling of mutual respect for each other we would have no difficulties over them.

When I was out there I think Japan recognized our position as regards China and the Far East as being fair and square.

The CHAIRMAN. Of course, Admiral, this committee is dealing with naval problems, but it seems to me this is actually a naval problem, is it not?

Admiral BRISTOL. Yes; if you change that feeling between the two countries, although I do not anticipate it or I do not prophesy it. I am afraid that in another conference they might demand more of us.

The CHAIRMAN. You feel that they would demand more of us in another conference?

Admiral BRISTOL. Why should they not?

The CHAIRMAN. Once having given up the ratio——

Admiral BRISTOL. Once having changed the ratio you have started the ball rolling. That is my idea. It is not just the fact of this change of ratios with which I anticipate difficulties. If the change were made now and it was ended, say, for the rest of our lives, I think we could stand it, but it is only for five years, when the whole question will be opened up again.

There is one more thing that occurs to me in connection with that. If she is going to stop there, why did she ask for a change now? I do not see why.

What has she in her mind that makes her feel that she ought to ask for an increase in ratio at this time? We have made no threat against her.

I would deprecate any idea getting into the minds of the Japanese or into the minds of the American people that we ought to consider any threat from Japan or that we have made any threat to Japan that would require her to ask for this change of ratios.

The CHAIRMAN. I recall the following words are included in article 23, part 5, of the treaty:

"It being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to."

That is, the conference of 1935?

Admiral BRISTOL. Yes.

The CHAIRMAN. I suppose that would leave it open to any country to change its demands at that time.

Admiral BRISTOL. It does.

Senator ODDIE. Of course, it is particularly gratifying to know that there is such a friendly attitude toward us on the part of the Government of Japan, but is it not possible that the future might develop a government which might be more militaristic and which might have some ideas of conquest?

Admiral BRISTOL. I do not think really that the future development of Japan is going to be along the lines of greater militaristic sentiment. Japan is now passing through certain changes in regard to suffrage and to trials by courts, also financial adjustments, which seem to me to indicate a decided step toward a peaceful attitude toward the rest of the world.

I think their future progress will be along those lines just in the same way that Germany, for instance, at the present time is developing along those same lines as compared to the past.

These things that appear in the papers that the people in Japan are dissatisfied with this treaty I am inclined to doubt; I am inclined to doubt the accuracy of those reports. I think the mass of the people in Japan want peace.

Senator ODDIE. But, as Senator HALE has intimated, we will be doing our duty to ourselves and helping to maintain the peace of the world if we maintain our Navy up to the proper standards.

Admiral BRISTOL. That is the feeling I have, that if we have a Navy practically second to none and our attitude toward the rest of the world is one of fair dealing, and we show a desire to settle our disputes through conference and negotiation, or arbitration, our fleet will be a stabilizing influence.

Senator ODDIE. Should the peace-loving people of Japan have any feeling toward us or objection to our maintaining our national defense at a parity with theirs?

Admiral BRISTOL. At a 5-3 ratio, do you mean?

Senator ODDIE. Yes. I do not see why they should have.

Admiral BRISTOL. I do not see why they should have.

Senator ODDIE. And would they not lose a little respect for us if we should apparently drop below that parity?

Admiral BRISTOL. That is my belief, Senator ODDIE—that it would be very much better for the good feeling between the two countries to maintain that which we had agreed to at the Washington treaty unless there was some decided reason to change that agreement.

The CHAIRMAN. Admiral, in regard to parity with Great Britain under the terms of the London treaty, do you believe that we are getting parity with Great Britain during the life of the treaty?

Admiral BRISTOL. No; we are not getting parity with Great Britain. But, again, if it was only a question of the difference of a few tons or so, a few cruisers one way or the other, and not a question of establishing a precedent in regard to the definition of parity, it would amount to very little. But, take battleships, for instance. I think it is not economically sound to put off replacing our battleships for five or six years and making an enormous expenditure then to build 15 new battleships, but the amount of tonnage of the two countries is not very far apart. Therefore, so far as the present is concerned, that is practical parity, though we might make exceptions to the fact that we are left with one 12-inch-gun ship which does not fit into a line of battle, but it is not necessary to go on to such details like that.

Take the aircraft carriers. The principle of parity by tonnage is maintained. The new definition of what a carrier should be is quite all right, so we can dismiss that.

When we come down to cruisers, it would have been so simple, in my opinion, if we had said:

"What is the lowest tonnage you will take? Three hundred and thirty-nine thousand tons. Well, we want 339,000 tons, too. Build the ships the way you want to and we will build the ships the way we want to. We will even agree to build not more than about 300,000 tons while reserving the right to build 339,000 tons if we think it necessary."

The same would apply to destroyers, 150,000 tons to each; and the same way with submarines.

But, after you have arrived at that point of parity with Great Britain, there is introduced into the problem Japan; and the restriction upon us with regard to 8-inch cruisers, it seems, was not because of England alone, but it was Japan, England, Australia, and New Zealand, so that it is not only a question between England and ourselves, but a question between England, Japan, and the United States.

The CHAIRMAN. A good deal of the evidence tended to show that the parity that was sought was merely combat parity between the two fleets. Do you consider that to be the only basis necessary for parity?

Admiral BRISTOL. Oh, no.

The CHAIRMAN. That is what we have done in this case, is it not?

Admiral BRISTOL. It would seem as if it were based purely on a question of combat strength of the fighting fleets, but there are so many other questions involved in deciding what ships the United States should have and what ships Great Britain should have—

The CHAIRMAN. And, apparently, in deciding these questions we have taken the British figures and are building up our fleet to conform to what she considers as her national needs. Is not that true?

Admiral BRISTOL. That is the way it would seem to me because she laid down in the beginning that she wanted so many 8-inch cruisers and so many 6-inch cruisers, and a certain number—

The CHAIRMAN. At least in the cruiser program we have taken her offer substantially as it was made last summer, have we not?

Admiral BRISTOL. Yes. It would seem to me that if, for instance, it came to a question where we claimed twenty-one 8-inch-gun cruisers and Japan said, "Well, if you take twenty-one 8-inch-gun cruisers, we must have 70 per cent of that," and Australia and New Zealand said, "We can not consent to Japan having that many cruisers," then why should not England say, "All right, you come down to 18 and we will come up to 18"? Would not that have been fair? That is the way I look at it. Then we would have said to Japan, "We do not see why we should change the ratio at all. Leave it at 60 per cent."

The CHAIRMAN. And as far as cruisers are concerned, you believe that we are not meeting our national needs if we subscribe to the tonnage of the London treaty?

Admiral BRISTOL. I do not think we are getting the type of ships that we should have for our fleet.

The CHAIRMAN. I want you to go a little further into your views about the advantage of the 8-inch-gun cruiser over the 6.

Admiral BRISTOL. Of course, the use of cruisers is threefold. They have three real purposes. One is with the fleet as a screen around the fleet to protect the fleet against torpedo attacks and to protect the destroyers in making attacks themselves, and supporting them, and in driving off any cruisers of the enemy that try to break through the screen.

The CHAIRMAN. And that requires both large and small cruisers, does it not?

Admiral BRISTOL. There are two minds in the Navy and, as I said this morning before the Foreign Relations Committee, I do not believe in any 6-inch cruisers. I think we would be a great deal better off to have all 8-inch cruisers, so that they can be interchanged and be sent from one duty to another, with the fleet or in distant operations, etc.; but the consensus of the opinion of the Navy, so far as I can find out, is a belief that it is better to have two types, if you have a limited amount of tonnage; for instance, we will take the figure 339,000 for a minute, we could put part of that tonnage into 6-inch-gun cruisers of a smaller size sufficient for the fleet and have remaining more of the tonnage to go into 8-inch 10,000-ton cruisers.

The CHAIRMAN. Yes; and what limit has that consensus of naval opinion as you understand it fixed for the smaller, the 6-inch-gun cruiser?

Admiral BRISTOL. Our limit was twenty-eight 8-inch-gun cruisers and fifteen 6-inch-gun cruisers. That was the last recommendation.

The CHAIRMAN. There were 43 cruisers?

Admiral BRISTOL. Forty-three cruisers.

The CHAIRMAN. Of course, under the treaty we are not going to get 43 cruisers.

Admiral BRISTOL. Of course, that is taking what I would call the correct proportion of cruisers as we see it for the needs of the Navy.

The CHAIRMAN. Of course, under the treaty we are not going to get 43 cruisers.

Admiral BRISTOL. When you begin to reduce, of course, we cut that down. Then you have to cut to a point where you say, for illustration, "We must have so many 8-inch cruisers. All right, what have we got left? We have left tonnage enough to build twelve 6-inch cruisers instead of fifteen." Usually we would say, "All right, we will take twelve 6-inch cruisers, and the rest in 8-inch cruisers." It is one of those problems in which I do not think anybody could say offhand just what they would do under the circumstances. It is a matter that requires a good deal of careful study. Now, I will tell you the other two purposes of the cruisers.

The CHAIRMAN. Before you get away from that subject, is there much responsible naval opinion that would say that we needed over sixteen 6-inch-gun cruisers?

Admiral BRISTOL. It is a new thing to us in the General Board to find that there is some opinion; and I will tell you now that the General Board, just as soon as we get through with these hearings, will take up that question of studying these propositions made by individuals. We intend to do it. It is our duty to do it. Admiral Pratt will be called before the board to give us all his information on the subject; and so will other officers.

We are not adamant in this thing at all; we do not say that; but we say that up to the present time, and in accordance with all our studies in the past, this is what we consider was right, and it was the consensus of the opinion of the Navy.

If we find, for instance, by further study that we should modify our opinion, I am sure we will do it, because, as you know, we are progressive.

The CHAIRMAN. But you say up to the present time responsible naval opinion does not justify that conclusion?

Admiral BRISTOL. Does not justify it; and I know of no study that would justify 6-inch cruisers at the present time. We have studied it, you know, Senator HALE, and we have designs and sketches of 6-inch-gun cruisers of a number of types.

The CHAIRMAN. Now, will you go ahead and give the other uses of cruisers?

Admiral BRISTOL. One of the other uses is convoy duty. We have lines of trade to both coasts of South America, to Asia, southeastern Asia, Oceania, and to Europe that in time of war we would have to convoy. Also our commerce being carried in neutral bottoms would require that our cruisers be around at different places to see that no advantage was being taken to interfere with our trade in neutral bottoms within the limits of established international law.

The other use of the cruiser is for raiding the lines of communication and trade routes of our enemy. The United States in utilizing cruisers even with the fleet is in a less advantageous position than other countries on account of not having bases and therefore being required to operate on long radius of action. That requires ships not only with a radius of action but a power of survival.

Let me give you an illustration of that: We have to get certain products from South America which are essential to us in war time as well as in peace time, taking out of account the fact that any interruption of trade would be very detrimental to our carrying on a war by reducing our income and everything else. In order to maintain that convoy down there against, as a possible enemy, England, with bases at the Falkland Islands, the Cape of Good Hope, and on the West Coast of Africa, we must work out a plan to have the same number of operating days there—that is, an equal opportunity with the cruisers of our possible enemy—and to do so we would have to have one-third more cruisers for that territory. The same is true on the west coast, practically.

We could not operate our cruisers into the Indian Ocean, because it is too far away, and there our possible enemy would have bases to operate from, and we would not.

When I speak of a base I speak more of a harbor of refuge, because operating in waters like that your possible enemy will have cruisers of the same type, maybe some submarines and some destroyers; and if you can get into a harbor, you can protect yourself against them without heavy fortifications or other defense of that nature.

The CHAIRMAN. Into a neutral harbor?

Admiral BRISTOL. You can not stay in a neutral harbor longer than 24 hours.

The CHAIRMAN. What kind of a harbor do you mean?

Admiral BRISTOL. I mean a base. I was considering a base.

The CHAIRMAN. And we have none.

Admiral BRISTOL. We have no such bases. We have got to come back from South America to St. Thomas or to a port in the United States. There are many difficulties in connection with the operation of ships. From long experience we have found that you must overhaul your machinery periodically, and you must have so many days a year for cleaning the bottoms and for more complete overhaul and repairs. That means we have got to bring our cruiser back to a home port every time we want those few days; we have got to come clear back to the United States; while the cruisers of our possible enemy can run back a thousand or two or three thousand miles into his base, get his rest, get his overhaul, provisions, fuel, and come out again. That is a mathematical proposition; there is no theory about that; and we would require one-third more cruisers than our possible enemy in those waters.

Also we have got to feel that that cruiser can maintain herself there. She can not run away. Some people say a cruiser either fights or runs away. She can not. She can run away if she is raiding lines of commerce, but if she is convoying she must fight to bring her convoys through. Suppose she is a 6-inch ship, and two 6-inch ships jump on her. She will not have much show. The 8-inch ship will have a show with the 6-inch cruiser, so we must have 8-inch cruisers to have anything like an even show.

The CHAIRMAN. With two 6-inch cruisers, you mean?

Admiral BRISTOL. With two 6-inch cruisers she will be very hard pressed, because she would have to divide her fire.

The CHAIRMAN. What do you mean when you say the 8-inch cruiser would come out all right with a 6-inch cruiser?

Admiral BRISTOL. She would be able to stand off one.

The CHAIRMAN. Yes.

Admiral BRISTOL. But with more than one she runs a pretty good risk of getting licked. Therefore I do not think we have an advantage in having an 8-inch cruiser for that condition.

The CHAIRMAN. You would not send out on any convoy duty in time of war anything but an 8-inch-gun cruiser?

Admiral BRISTOL. If I could help it, I would not.

The CHAIRMAN. Not if you could help it?

Admiral BRISTOL. If I could help it, I would not; no.

Senator ODDIE. What do you think of the statements that have been made recently, Admiral—not in this committee, but elsewhere—that the 8-inch cruisers are untried and that we do not know their value?

Admiral BRISTOL. So are the 6-inch cruisers, so far as actual war conditions are concerned.

Senator ODDIE. Such a statement would show a lack of knowledge of conditions regarding naval matters?

Admiral BRISTOL. I would not like to criticize the person who made that statement.

The CHAIRMAN. You say the 6-inch cruisers are untried as far as war conditions are concerned?

Admiral BRISTOL. Yes.

The CHAIRMAN. Did not the British have 6-inch-gun cruisers during the World War?

Admiral BRISTOL. I was talking about our 6-inch cruisers. I thought you were asking about our own conditions.

The CHAIRMAN. He said the 8-inch gun is the type that had been untried.

Admiral BRISTOL. Yes. The Germans used 8.2 guns against the British ships.

The CHAIRMAN. But they were very much inferior guns.

Admiral BRISTOL. As compared to the present ones; yes. Rapidity of fire is one point. Again, you can get a greater number of guns. I think I can answer your question by stating that to find out exactly the ship that the Navy feels we should have requires a very careful study and a consideration of a mass of detail, taking, as we have taken, these examples of action that have taken place.

Another example is the *Emden* against the *Sidney*, where the *Emden* was absolutely wiped off the face of the earth because she had not as big guns as the *Sidney*. There are other instances, of course.

That is one thing to be considered. Then we take the rapidity of fire, and then we take the weight of metal thrown, and we take the penetration of the projectile; we take the speed; we take the defensive power of the ship.

The problem we always start with is what speed we should have. Our speed at the present time is largely governed by the fact that other nations have battle cruisers of 31 to 32 knots speed, and an 8-inch cruiser can not fight these—

The CHAIRMAN. Thirty-one to thirty-one and a half.

Admiral BRISTOL. Thirty-one and one-half, to be right. An 8-inch cruiser can not fight these, so the only thing for her to do is to run away, so we give her a little more speed than that.

By going into a little detail I will show you what a difficult problem it is. To increase that speed by one knot you have got to take off an awful lot of your defense in armor, and you may have to reduce the number of your guns, because one knot more speed in a ship builds up weight by the cube of the speed. Therefore, having established the speed by the best investigation, we see how much weight we have left, within the limit of 10,000 tons, to put into offense and defense. Then we begin to figure out a balance between the gun power and the armor on that ship. In working out the problem we send it up to the War College; we take all the evidence we can get; we get the Bureau of Ordnance to work on it; we have the office of target practice working on it to see what we can get. We spend days and weeks on it. It is not only rapidity of fire of guns but also a question of speed and armor. It is a very careful balancing of these factors.

The CHAIRMAN. You feel that with our 8-inch-gun ships we can provide a certain amount of defensive armor.

Admiral BRISTOL. Yes; certainly.

The CHAIRMAN. Beyond what we now have?

Admiral BRISTOL. We can always progress; we are always progressing, as will be seen in the difference between the cruisers we built back in 1916 and the cruisers we build to-day. There is a very great improvement. If that were not the case, then I would say you had such a conservative lot of people in the Navy that you should find some one else to take our places.

The CHAIRMAN. Admiral, is it not a fact that if all the navies in the world should give up their capital ships, Great Britain still would be in command of the seas, on account of her cruiser force and merchant marine?

Admiral BRISTOL. And bases.

The CHAIRMAN. And bases.

Admiral BRISTOL. Our battleship force, Senator HALE, is our base. We have no base; so if we want the defense of a base, we take our battleship force along with us; we take our harbor and defend it; and that is our base from which we operate.

The CHAIRMAN. Is it not also a fact that if 8-inch-gun cruisers were cut out and nothing but 6-inch-gun cruisers were allowed the British would be still more formidable on the sea with their cruiser forces, their bases, and their large merchant marine?

Admiral BRISTOL. It is my opinion that she would have a superiority.

The CHAIRMAN. Is it not further a fact that if all ships of war were given up that their bases and their great merchant marine would still give them command of the seas?

Admiral BRISTOL. If they maintained the superiority in merchant marine that they have at the present time, and they were permitted to arm those ships with 6-inch guns, they certainly would very largely be mistress of the sea.

The CHAIRMAN. Everything that we do toward cutting down the size of our guns tends, therefore, to enhance the value of the British merchant marine from a military standpoint. Is not that true?

Admiral BRISTOL. Yes; that is true.

The CHAIRMAN. And do you not think that the British merchant marine—mounting, as it does, 6-inch guns—is a distinct factor to be taken into consideration as far as our cruiser forces are concerned?

Admiral BRISTOL. It certainly must be taken into consideration, because many of their ships, armed with 6-inch guns, will be very excellent cruisers, and they could be utilized, I think, even with the fleet, in the screen to release some of our more formidable fighting ships for distant work. That is one of the reasons why I am for an 8-inch cruiser right straight through—we can interchange them backward and forward.

The CHAIRMAN. And they will always be superior to any merchant-marine vessel that could be brought against them.

Admiral BRISTOL. That is exactly the idea.

The CHAIRMAN. I suppose it is conceivable that a given number of merchant-marine ships might dispose of an 8-inch-gun cruiser, if they should attack it in sufficient numbers.

Admiral BRISTOL. Oh, yes; of course, if they are well served, and so on, they have got a good show if there are enough of them, so that the cruiser has got to divide her fire. You see, as soon as you have more than one ship attacking you like that, and they can get into position for the attack, the cruiser has to divide her fire against them, and that decreases the weight of her fire against each ship.

The CHAIRMAN. But they would be less effective against an 8-inch-gun cruiser than against a 6-inch-gun cruiser.

Admiral BRISTOL. Oh, yes; but you must remember one thing, I think in fairness, and that is that there are not many merchant ships

that have the speed of our 6-inch or 8-inch cruisers—that is, 30 to 33 knots. So in that way the cruiser could put herself in a position where she would not have to divide her fire against merchant ships.

The CHAIRMAN. No; but if the merchant ships are fighting against a 6-inch-gun cruiser, wherever the 6-inch-gun cruiser could reach the merchant ship, the merchant ship could reach the cruiser.

Admiral BRISTOL. That is correct.

The CHAIRMAN. Although, of course, the fire control would be superior on the cruiser.

Admiral BRISTOL. Yes. If you are going to attack, say, a convoy of merchant ships, and they are all armed with 6-inch guns, the cruiser would have to attack them, that is all, and the 6-inch gun of the cruiser would reach no further than the 6-inch gun of the merchant ships, except that the cruiser would have a bigger target to fire at. That is one of the problems we have to deal with.

Senator ODDIE. This is a hypothetical question, Admiral, but would the *Queen Mary* and the *Indefatigable* have been sunk in the Battle of Jutland if the Germans had used 6-inch guns?

Admiral BRISTOL. That is a new question.

Senator ODDIE. That is probably not fair unless you have the figures on the distances and other factors.

Admiral BRISTOL. Let me ask one of my aides if they remember what the deck armor of the *Invincible* and *Queen Mary* was.

Senator ODDIE. At what range did the Battle of Jutland open?

Admiral BRISTOL. It started at about 19,000 yards, and got down to about 17,000.

Lieutenant Commander SCHURMANN. I think after the Battle of Jutland the British put on additional deck armor over the magazine spaces that brought it up somewhere between 3 and 3½ inches.

The CHAIRMAN. As a matter of fact, they were sunk by big-gun fire, were they not?

Admiral BRISTOL. By big-gun fire, of course. In addition to that, the protection of their ammunition supply was not good, so that on the explosion of the shells the flames were carried down into the magazine.

The CHAIRMAN. Admiral Bristol, you have made a study of the treaty. Will you give the committee some of your conclusions about it other than what we have already talked over?

Admiral BRISTOL. I would like to speak in regard to the cruiser forces of the United States and Great Britain in 1936. We will have at that time sixteen 8-inch cruisers, with Nos. 17 and 18 coming on one year or two years after. I am reminded of this because my attention was brought to the fact when I said we would only have 16 cruisers in 1936, that this seventeenth cruiser could be completed on the 1st day of January, 1937, which would give us 17 cruisers, or 170,000 tons. Looking to the British figures, you see that she would have at that time 192,000 tons.

The CHAIRMAN. That is in the other class of ships. We are talking about 8-inch-gun ships.

Admiral BRISTOL. Yes; 146,000 tons of 8-inch ships. Of course there is no question about her parity there, because we have agreed to a certain number of ships, but we only get 16 to her 18 at that stage of the game. The next thing is the subcategory.

The CHAIRMAN. The other subcategory?

Admiral BRISTOL. Yes.

The CHAIRMAN. Subcategory (b)?

Admiral BRISTOL. Yes; she has got 192,000 tons built, and is building 86,000 tons, giving her a total of 278,550 tons.

On the 1st of January, 1937, we would have 303,500 and 34,000 building, which would be about 337,500; and, on the theory that we can in one day have the extra cruiser, she, on the same theory, could have 86,000 extra tons of cruisers, or a total of about 424,000 tons.

The CHAIRMAN. Of course, if the treaty is extended, the minute the new ones came in the old ones would go out.

Admiral BRISTOL. Yes; if it is extended. The treaty ends on the 31st day of December, 1936. On the 1st day of January, 1937, we will have 337,000 tons of cruisers built and building, or we can have them completed, and she will have about 424,000 tons.

Those are jokers in it, in my opinion.

The CHAIRMAN. No; you have to take off one more ship from ours, because the second one could not be ready.

Admiral BRISTOL. Yes; we would have to take one ship off, which would reduce it to 327,600 tons.

The CHAIRMAN. All of the 86,000 tons of Great Britain's could not be completed the next day, because of the fact that some of those ships would go out, 27, 28, and 29.

Admiral BRISTOL. The same as our 14,000 tons would go out. That is one of the things Admiral Jones was up here to talk about.

The CHAIRMAN. That is, they would be greatly above the ratio if you count the replacement ships, and the ships which they are to replace together.

Admiral BRISTOL. Yes.

The CHAIRMAN. And if the treaty were not continued there would be no reason why both should not be kept.

Admiral BRISTOL. Exactly; and the same way we have only got 160,000 tons. As I say, we would only have 170,000 tons in the 8-inch class instead of 180,000 at the very best.

There is only one other thing I wish to mention and that is the question of replacement of mine layers, which is not very important, but simply shows another concession to Japan. The treaty says:

"Japan may, however, replace the mine layers *Aso* and *Tokieda* by two new mine layers before the 31st of December, 1936."

The CHAIRMAN. But I believe we were offered the same opportunity had we wanted to accept it.

Admiral BRISTOL. I did not know that.

The CHAIRMAN. How about Article XIX, or if you will just go through the treaty and call the committee's attention to things you think it should be called to.

Admiral BRISTOL. Those are about the only things in connection with this treaty—the principle of giving up the ratios and changing the principle by which parity was established in the Washington treaty, and the possibility of what the percentage would be in 1936. I lay special stress upon the precedent thus established.

As to Article XIX, I agree with Admiral Jones that there is a possibility there of a misunderstanding in connection with the replacement of ships of the same type in that category.

The CHAIRMAN. And you think that matter should be cleared up.

Admiral BRISTOL. It seems to me it would be more satisfactory to have it cleared up so that five years hence if there should be a new government in Great Britain and the United States it would be written in the treaty and not left open to possible misinterpretation. I believe certainly that the interpretation which is placed upon it now is all right. What it might be five years hence we do not know.

The CHAIRMAN. And you think it should be cleared up?

Admiral BRISTOL. I think it should be cleared up.

The CHAIRMAN. And the same applies to Article XXI, the escalator clause?

Admiral BRISTOL. Yes; I think the same way about that.

The CHAIRMAN. If it is intended to have it apply to a subcategory, the word "subcategory" should be mentioned.

Admiral BRISTOL. Yes.

It seems to me, in conclusion, that it would be advisable to avoid reservations, because that would raise questions in the minds of the people of the other countries right away. I think it preferable, if possible, to have it handled in some other way, possibly by simply stating that the interpretation of such and such a clause is so and so. Is not that done in treaties, sometimes, Senator HALE?

The CHAIRMAN. It has been done in some cases.

Admiral BRISTOL. Without making a reservation.

The CHAIRMAN. But you do not think we are the committee to decide that?

Admiral BRISTOL. No; I do not think so, but I was merely mentioning it.

The CHAIRMAN. Do you desire to go into other portions of the treaty?

Admiral BRISTOL. No; I do not think so, Senator HALE, unless there is something you would like me to discuss.

The CHAIRMAN. No; I think not. If no other member of the committee has any questions, I think that is all.

Mr. ODDIE. Mr. President, I will call attention briefly to the testimony of Admiral Pringle, another of our magnificent and able admirals, who was called before the Senate Committee on Naval Affairs. He has served 41 years in the Navy and of those over 21 years actually at sea. He is president of the War College and one of the ablest experts we have. I shall read just a few of his statements pertaining to this question, which mean so much to the welfare and safety of our country. His advice, if properly observed, may mean the saving of many American lives in the future and possibly of saving our country from defeat. Some of Admiral Pringle's testimony is as follows:

In the first place, the Navy exists to control sea communications, whether those communications are going to be used for commercial purposes or whether they are going to be used for military purposes; that is, the transporting of troops, and, in order that you may be able to control the sea communications, you have first got to achieve what is known as command of the seas. Then, after you have achieved command of the sea, you can exercise control of the communications. Command of the sea is achieved by your combatant battle fleet. That is the main strength and the main fighting force which you use for that purpose. It consists of the battleships, cruisers, destroyers, aircraft carriers, all of which form a part of a balanced battle fleet.

The CHAIRMAN. Including, of course, submarines.

Admiral PRINGLE. Submarines do not operate tactically with a battle fleet. There is nothing in theory or practice to show that you can operate submarines tactically with a fleet.

After you have achieved command of the sea by defeating the enemy main fleet or by blockading it in its port so that it can not get out, you then proceed to exercise control of the sea communications by dispersed operations of the cruiser types, which safeguard the passage of your convoys, your merchant ships, your transports, and what not, across the sea. In both cases—that is, in the battle fleet—you should have cruisers, and in exercising the control you should exercise it by cruisers, because they are the most suitable type,

and when you build ships you should build them for the purpose for which you intend to use them, and you should put in those ships—I am speaking of cruisers—characteristics which permit them to perform those duties with the greatest degree of efficiency.

The cruiser that works with the Battle Fleet is a cruiser intended primarily to back up the attacks of your own destroyers upon the enemies' battle fleet and to break up attacks of the enemy destroyers upon your Battle Fleet. The prime objectives of those cruisers are the destroyers, and in order that your cruisers may be efficient they must be armed with guns which will deliver rapid and well-directed volume of fire and which will be sufficient to pierce the destroyers' side plating, and they should be, I think, a little in excess of the caliber of the gun which is carried by the destroyer itself. They should be ships of either medium or small tonnage, whichever you choose to characterize it. They should be of a tonnage sufficient to mount a battery of twelve 6-inch guns, arranged for the most rapid fire and unrestricted arcs of fire. They should be handy ships of good speed, in the neighborhood of 30 knots, in order that they may reasonably operate with the destroyers.

The CHAIRMAN. Would the 5-inch antiaircraft guns secondary battery on the big cruisers be valuable against destroyers?

Admiral PRINGLE. Yes, sir; to a limited extent. Not to the extent that the 5-inch gun built for that purpose with a flat projector and high velocity would be. I would rather you ask one of the ordnance experts about those guns. I do not claim to be an ordnance expert.

The CHAIRMAN. Well, please continue, Admiral.

Admiral PRINGLE. It then becomes necessary to consider how many of those cruisers you wish for duty with your Battle Fleet, and that is a question which I think can be more easily decided than the question of how many cruisers you want for duty outside on the line of communication, because the more you can get outside the better. But with the Battle Fleet there is unquestionably a limit beyond which it would not be necessary to construct 6-inch-gun cruisers for duty with that fleet. I should say that a maximum of 15 of those cruisers would satisfy our needs. I would build either 15 or I would build 12. I would build them in multiples of 3, because they should be in 3 divisions which correspond with your tactical organization in your fleet.

Having done that, I think the other cruisers which you get should be built for use on the lines of communication. They should be built for distant screening, offensive screening, for scouting, for the defense and protection of your convoys, and for attack on the other people's convoys. I think there is no question but what that kind of duty requires a ship of different characteristics from the ship which is used with the Battle Fleet.

The CHAIRMAN. When you say "outside scouting," you mean scouting in the vicinity of the fleet—ahead of the fleet?

Admiral PRINGLE. Ahead of the fleet, in a screen at a long distance, and they may operate singly or in pairs or in divisions of four or five, or whatever you have in there; but their operations are widespread and dispersed. I think you should build those ships with the maximum military qualities which you are capable of placing in them under the existing limitations for that class of ship which, internationally to-day, are 10,000 tons displacement and 8 inches of gun caliber. I think there are good reasons why you should have that type of ship other than the general reason.

In the first place, you must have those ships and you must give them that battery because of the fact that other people have them. You will meet 8-inch-gun ships. Other navies have them.

Also there are in existence to-day in the navies of the world seven battle cruisers. When the Japanese scrap the *Hiei* I think then there will be 6, 3 in the Japanese Navy and 3 in the British Navy. The three battle cruisers in the British Navy—the *Hood*, the *Repulse*, and *Renown*—have speeds of from 30½ to 31½ knots. They have 15-inch guns. The *Repulse* and *Renown*, I think, have six; the *Hood*, I think, has ten 15-inch guns. The *Repulse* and *Renown*, I think, have 8 inches of armor on the side, and the *Hood*, I think, has 12 inches of armor on the side.

If these ships of ours which are to operate along the lines, widespread and sometimes single, are to be given a chance of life in the case of their meeting one of those battle cruisers, particularly the British battle cruisers, on the high seas, you have to give them speed sufficient to get away. That, in my judgment, is a sound reason for placing the speed high. Of course, high speed also enables them to overhaul and run down any smaller ships that may have somewhat less speed.

So that in my final analysis of the case I said that after satisfying my needs as I saw them for cruisers for duty with the Battle Fleet I would work every ton that I had available into 8-inch-gun cruisers for service on the high seas—dispersed operations.

The CHAIRMAN. If you were limited in the number of cruisers that you could have and had to cut down either in these dispersed cruisers, or in the cruisers with the fleet, which would you cut down? That is, would you rather have more of the 8-inch-gun cruisers and use them as effectively as you could with the fleet, or would you rather sacrifice their number and have a full complement of 6-inch-gun cruisers?

Admiral PRINGLE. I would have to answer that generally. Either one of those two classes of ships which I have described to you, can perform the duty of the others, but if you make the 6-inch cruisers perform the duty of the 8-inch cruisers there will be less efficiency. If you make the 8-inch cruisers do the work of the 6-inch cruisers, there will be less efficiency. I think the 8-inch cruisers could better perform the duties with the Battle Fleet than the 6-inch cruisers could perform the duties of the 8-inch cruisers in the dispersed operations.

The CHAIRMAN. In dispersed operations, therefore, you do not regard the 6-inch cruisers as valuable at all?

Admiral PRINGLE. Oh, I would not say that.

The CHAIRMAN. But I mean anywhere nearly commensurate with the value of the 8-inch cruisers?

Admiral PRINGLE. Oh, no, sir.

The CHAIRMAN. Now, while retaining the 6-inch guns, would it be possible to build a larger type of cruiser, for instance, a 10,000-ton, 6-inch-gun cruiser?

Admiral PRINGLE. Yes, sir. You can build a 10,000-ton ship and put 6-inch guns into it.

The CHAIRMAN. Would that be anywhere nearly as effective as a 10,000-ton, 8-inch-gun cruiser?

Admiral PRINGLE. I will not say that she would not be any better, but, it is presumed, I take it, that if you build a cruiser of 10,000 tons and arm her with 6-inch guns, you would endeavor to place on her more protection than is placed on the 8-inch-gun cruiser. I presume that would be done.

The CHAIRMAN. More protection than on the 8-inch-gun cruiser?

Admiral PRINGLE. I should think so. If you assume two cruisers each of 10,000 tons, and the protection of the same as the other, as far as the fighting value of those ships is concerned, the 6-inch-gun cruiser has no real chance with the 8-inch.

The CHAIRMAN. Therefore, if you were building 6-inch-gun cruisers, you would not put them into ships of 10,000 tons?

Admiral PRINGLE. No, sir. If I were building a 6-inch-gun cruiser I would build enough 6-inch-gun cruisers of the type I have described to you to satisfy what I consider my requirements for duty with the Battle Fleet, and the rest of the tonnage I would put into the 10,000-ton cruisers, armed with 8-inch guns.

The CHAIRMAN. For this destroyer defense of the fleet would it be feasible to build smaller cruisers?

Admiral PRINGLE. Yes, sir.

The CHAIRMAN. Smaller 6-inch-gun cruisers?

Admiral PRINGLE. Yes, sir. You could build them smaller. Of course, when you reduce your tonnage you reduce the military elements; that is, speed, cruising radius, gun power. When you have a certain tonnage you can plan within that tonnage your military characteristics of speed, armor, and guns. If you reduce your tonnage, you of necessity can not get as much of all of those three things in there as you could get in before.

The CHAIRMAN. Therefore, do your conclusions lead you to believe that if you restricted the 6-inch-gun cruisers you would build any under the *Omaha* size, 7,000 tons?

Admiral PRINGLE. This is an opinion, Senator. I should say that 7,000 tons was about the proper size for 6-inch-gun cruisers. I will say that if you could get an efficient ship with about twelve 6-inch guns in her, of a less tonnage, I would build them less, and then I would have more tonnage to put into my 8-inch-gun cruisers.

The CHAIRMAN. But that probably would not be feasible.

Admiral PRINGLE. I doubt it, sir.

The CHAIRMAN. Now, Admiral, are your views practically the views of the War College at the present time?

Admiral PRINGLE. Yes, sir; I think so.

The CHAIRMAN. Are your views those that have been the views of the War College for the last half dozen years, as far as you know?

Admiral PRINGLE. Well, that is a question, Senator, which I do not think I can answer. During the time I was not at the War College I naturally was not intimately associated with it, and I do not know that I should be able to state.

The CHAIRMAN. Are there not plans left over from one administration to the other?

Admiral PRINGLE. No, sir. There are no such things as plans. The War College operates for the instruction of officers. It is not a planning institution, but it is an institution for the training of officers in the prosecution of the art of war.

The CHAIRMAN. Carrying out the general policy of the Navy, as expressed in what is issued as the policy of the Navy?

Admiral PRINGLE. Well, if I understand you, Senator, we have nothing to do with the policy of the Navy at the War College; that is to say, it is purely what you would call a war college. That is what it is. People are there for instruction. We must instruct them along lines which are conceived to be logical and sound lines upon which to proceed.

The CHAIRMAN. I was referring to a paper that we have already put in the record—United States naval policy.

Admiral PRINGLE. Oh, yes. That covers the War College as it covers every other part of the Navy Department.

The CHAIRMAN. So your plans are based along the lines of the United States naval policy?

Admiral PRINGLE. They would be; yes, sir.

The CHAIRMAN. And you do not know of any policy adopted at any time by the War College to change the point of view in the naval policy that we need to build cruisers of 10,000 tons with 8-inch guns?

Admiral PRINGLE. No, sir. I know of nothing. Of my own knowledge I know of nothing.

The CHAIRMAN. Admiral, did you in any way change your position while you were over on the other side on this matter of cruisers?

Admiral PRINGLE. No, sir.

The CHAIRMAN. Your views were given to the delegation.

Admiral PRINGLE. Yes, sir.

The CHAIRMAN. And were well known?

Admiral PRINGLE. Yes, sir; I think so.

The CHAIRMAN. And you never subscribed to any change that was made as embodied in the treaty?

Admiral PRINGLE. No, sir. In point of fact, I did not know that a change had been made until I saw the published terms of the treaty.

The CHAIRMAN. And you have never acquiesced in it and do not approve of it?

Admiral PRINGLE. I was not asked to express an opinion upon it. I expressed my opinion upon what was known as a tentative proposal, as I have already seen it, and I was not at any other time asked to express any other opinion on any other proposal.

The CHAIRMAN. But your views, which were contrary to the tentative proposal, would, I suppose, still be contrary to the treaty provisions, would they not, in regard to these ships?

Admiral PRINGLE. My views are the same now as when I expressed them to the delegation. I agreed with the tentative proposal as it was set forth to me at that time, except in the matter of the cruisers, with which I did not agree.

The CHAIRMAN. Did you give your views at any time to the delegation or to others at the conference about any change in the Japanese ratio, with the exception of the submarine terms of this tentative proposal? I think they contemplated a slight rise upon the ratio 5-5-3, did they not, for Japan?

Admiral PRINGLE. I can not say. I do not know about that—if I understand your question.

The CHAIRMAN. I asked you if you gave your views to the delegation about any change to be made in the Japanese ratio, so far as Japan was concerned.

Admiral PRINGLE. No, sir; I was never asked by the delegation to express my views as to any change in the ratio with Japan.

The CHAIRMAN. Before the time of this tentative proposition was there any suggestion made at any time that the Japanese ratio should be changed?

Admiral PRINGLE. Not to me, sir.

The CHAIRMAN. Was there any change suggested that was brought to your knowledge in any way?

Admiral PRINGLE. No, sir; I think not, to the best of my recollection.

The CHAIRMAN. And you were never shown the provisions that were finally embodied in the treaty before they were put forth?

Admiral PRINGLE. No, sir.

The CHAIRMAN. After you had seen the treaty did you subscribe to the change that had been made in the Japanese ratio?

Admiral PRINGLE. No, sir; I can not subscribe, generally speaking, to an alteration in the ratio increasing the three-part ratio allowing Japan an increase above the ratio of 5-3.

The CHAIRMAN. You say you can or you can not?

Admiral PRINGLE. I can not.

The CHAIRMAN. You can not?

Admiral PRINGLE. I estimate that with the 5-5-3 ratio we would have a chance of conducting a successful campaign, but that the minute the ratio begins to be altered in favor of the Japanese our chances are reduced thereby and become less than what you could possibly call an even chance.

The CHAIRMAN. That is in view of the fact that operations would probably be carried on in distant waters?

Admiral PRINGLE. Yes; in view of the fact, as I view it, the trouble between us would necessitate our projecting our operations across the Pacific Ocean.

The CHAIRMAN. Yes; do any of the studies or plans that have been made at the War College indicate that we should lower this ratio?

Admiral PRINGLE. No, sir.

The CHAIRMAN. With Japan?

Admiral PRINGLE. No, sir.

The CHAIRMAN. And as far as you know it was never contemplated that any such change should be made?

Admiral PRINGLE. No, sir; I do not think so.

The CHAIRMAN. And, from a military standpoint, do I understand that you would not advise that it should be done?

Admiral PRINGLE. From a military standpoint, I think any alteration of the 5-3 ratio in favor of Japan operates to our disadvantage.

The CHAIRMAN. I think that in the tentative proposal the suggestion was made that we should have either 90,000 tons of submarines to the Japanese 60,000 tons, or 60,000 tons to 40,000 tons.

Admiral PRINGLE. Sixty thousand to forty thousand, I think it was. The CHAIRMAN. And that is a slight increase in the ratio on submarines?

Admiral PRINGLE. Yes.

The CHAIRMAN. But you do not regard that as particularly important?

Admiral PRINGLE. No, sir.

The CHAIRMAN. In that particular class of ships?

Admiral PRINGLE. No, sir.

The CHAIRMAN. Why is that?

Admiral PRINGLE. The alteration was so slight that I did not think it of any great importance in itself; and, furthermore, I consider it to our advantage to hold the Japanese to as low a submarine tonnage as we can; and 40,000 tons, I thought, was probably lower than we would be able to hold it.

The CHAIRMAN. But in lowering the Japanese tonnage, would you consider that it was advisable for us to come down to a basis of equality?

Admiral PRINGLE. It depends on how far you went. If you went very low, I would say if you went down to—well, maybe 25,000 tons—

The CHAIRMAN. Twenty-five thousand tons?

Admiral PRINGLE. Yes. This is only an opinion.

The CHAIRMAN. Yes; then you might be able to come down to an even basis with them?

Admiral PRINGLE. Yes; I might put it this way, the more you can reduce the better you are. I think it is to our advantage to hold them to a low tonnage with the submarines.

The CHAIRMAN. Would that apply to the treaty figures?

Admiral PRINGLE. No, sir; I do not consider that particularly advantageous, because that certainly is not a low submarine tonnage. I do not consider that particularly advantageous from our standpoint.

The CHAIRMAN. Then you were not in any way consulted about the changes made in the ratio with Japan?

Admiral PRINGLE. No, sir; I was not.

The CHAIRMAN. And did not thereafter express any agreement with the terms of the treaty?

Admiral PRINGLE. No, sir; I was not asked.

The CHAIRMAN. You were on the General Board last summer—a member of the General Board?

Admiral PRINGLE. I am an ex officio member of the General Board.

The CHAIRMAN. Of the General Board?

Admiral PRINGLE. Yes.

The CHAIRMAN. You were familiar, of course, with the whole situation last summer?

Admiral PRINGLE. Yes; I think so.

The CHAIRMAN. When the negotiations were going on, they held conferences.

Admiral PRINGLE. Yes, sir.

The CHAIRMAN. You were familiar with the letter of, I think, September 11, of the General Board, stating the minimum that could be accepted if we went into an arrangement with Great Britain?

Admiral PRINGLE. Yes, sir.

The CHAIRMAN. Was it your idea that that minimum would give us a better fleet as far as cruisers were concerned than would have been the case had we carried out the proviso of the 15-cruiser program, which would have left us with twenty-three 8-inch-gun cruisers of 10,000 tons each and 10 of the *Omaha* class of 7,050 tons each?

Admiral PRINGLE. I think there would be very little difference. I do not think we should differentiate too much. I think there would be very little difference.

The CHAIRMAN. You were willing to give up two additional 8-inch-gun ships and take five more of the 6-inch-ships in order to bring the fleet up in that class of ships?

Admiral PRINGLE. In the—

The CHAIRMAN. In the 6-inch-gun class?

Admiral PRINGLE. Yes; I thought that would not do any harm.

The CHAIRMAN. Did that letter of the General Board indicate the lowest minimum to which the General Board thought we could go—

Admiral PRINGLE. Senator, frankly—

The CHAIRMAN. To meet the British offer?

Admiral PRINGLE. Yes; I think it did; to the best of my recollection.

The CHAIRMAN. In much of the talk that has been made before the committee we have heard about combatant equality, and the statement has been frequently made that that is all that we could expect with Great Britain; that is, combatant equality between the fleets. Do you regard that as the most important issue as far as the fleets are concerned—as far as the Navy is concerned?

Admiral PRINGLE. I think the most important issue is to preserve to yourself the right to build, within the limit imposed upon you, ships that are best suited for your own needs and necessities.

The CHAIRMAN. You think that each country should have that right?

Admiral PRINGLE. I do, indeed. I think the original American contention that limitation should be by tonnage in categories, and

that within the limits of the tonnage and such other limits as may have been laid down, each country should be free to construct ships as it sees fit, in view of its own circumstances, needs, and interests, is correct.

The CHAIRMAN. I take it that the British proposals took care of their military needs, and their offer was based entirely on their military needs?

Admiral PRINGLE. I take it that was so, Senator, or they would not have made it.

The CHAIRMAN. I do not think there is much question about that. Now, in getting parity in the fleets, we have had to come down from what we conceived to be our military needs to a large extent, have we not, in the figures that are given in the treaty?

Admiral PRINGLE. Yes, sir; we appear to have come down from the twenty-one 8-inch-gun cruisers to a maximum, as I understand the treaty, within the limits of the life of the treaty, of 16 cruisers.

The CHAIRMAN. And two others to be built in the two following years?

Admiral PRINGLE. The others to be completed after the treaty terminates.

The CHAIRMAN. Yes; but even if those were completed, we would not, in that case, be living up to our military needs, would we?

Admiral PRINGLE. We would have relinquished the right to construct ships of the character that were best suited to our needs.

The CHAIRMAN. And when we are getting combatant equality between the fleets, you think we should consult our military necessities?

Admiral PRINGLE. Yes; I do.

The CHAIRMAN. And you do not feel that that has been done in this case?

Admiral PRINGLE. I do not feel that we have preserved to ourselves the right to construct, within the limits of the tonnage allowed, ships in the proper proportion as our needs would justify.

Senator TYDINGS. May I ask a question there?

The CHAIRMAN. Certainly.

Senator TYDINGS. These proposals finally agreed upon in the conference give to the British Navy substantially what it needs in the way of categories?

Admiral PRINGLE. I can not answer that question, sir, because I do not know what the British said they needed. I did not negotiate the treaty, and had no part in the negotiations.

Senator TYDINGS. What I was seeking to come at was whether they had made concession of what they needed as to what we need.

Admiral PRINGLE. I do not know.

Senator TYDINGS. I would like to ask another question.

The CHAIRMAN. Certainly; we are glad to have you do so.

Senator TYDINGS. Suppose you were a Japanese naval expert talking with an American naval expert; what reason could you give for increasing the ratio of 5-5-3, in these other categories outside of battleships?

Admiral PRINGLE. Well, sir, I should find it very difficult to impersonate a Japanese naval expert, and I should hesitate to answer that question.

Senator TYDINGS. The populations, as I understand it, of the 2 countries, are 88,000,000 for Japan and 120,000,000 for the United States, and the seacoast of the United States is about 10,000 miles, while that of Japan, of course, is very, very much smaller.

The possessions of Japan are close to Japan, and are very limited. Our possessions are in both oceans, separated by the Isthmus of Panama, except for the Panama Canal.

In case of war between the United States and Japan the casus belli would probably arise in the East, I should imagine. I was just wondering what could be adduced as an argument in favor of giving the Japanese a larger ratio than the 5-5-3, which was the result of the Washington conference. So far, no one testifying here, either in an assumed case or on direct facts, has offered any reason to show why this additional ratio was given to Japan, and I am asking you to assume that you are a Japanese naval expert, and to show what reasons there could be for their having an advantage, except the question of national security, of course, why the 5-5-3 arrangement made at the Washington conference was an unfair arrangement in cruisers, and in these other categories.

Admiral PRINGLE. I will give you an answer.

Senator TYDINGS. Or an opinion.

Admiral PRINGLE. But I do not think it is the naval expert's business, in the first place, to decide what the size of his navy ought to be. It is the business of the statesmen of a country, who must provide for the security of the country.

Senator TYDINGS. Let me ask you a question, then. What reasons could a Japanese statesman offer as to why he should get a greater ratio than 5-5-3?

Admiral PRINGLE. I will have to say the same thing I did before on that. I do not know what reasons he could give, or what they did. I could not answer that question, Senator. I really could not answer it. I do not know.

Senator TYDINGS. If 5-5-3 is right for battleships, as a naval man, can you see why, if comparative ratios are to be agreed upon, the

other countries to that arrangement should get a greater ratio? Why should they get a better ratio outside of battleships in the other categories?

Admiral PRINGLE. If the 5-5-3 ratio in battleships were considered to be the reasonable relation of strength between two countries, I should say it was entirely proper that it should be extended to the other categories.

Senator TYDINGS. Then in an assumed case, with the ratio whatever it may be, the chances are nine out of ten that the place of the war and the cause of war would happen 3,000 miles from where one of the nations happened to be situated, it seems that there would be no additional reasons for giving the nation farther away a lesser proportion than it had in reference to battleships, but rather to give it a larger proportion in cruisers, because of the great distance from the theater of action.

Admiral PRINGLE. That is the reason for the 5-5-3 ratio.

Senator TYDINGS. I would like to hear from somebody what reasons there were for surrendering the 5-5-3 ratio with reference to the cruisers and other categories for Japan, outside of the submarines, which I believe are justly conceded to be the primary defense, and not for offensive purposes as we generally visualize them.

The CHAIRMAN. That was not a matter that you had anything to do with?

Admiral PRINGLE. No, sir.

Senator TYDINGS. I understand, but I would like somebody before the committee to give some reasons why this ratio was varied for cruisers. So far as I recall from what I read in the press, or from these hearings before this committee, no one seems to have offered any explanation for that.

Senator ODDIE. In other words, Senator, we concede that a great deal was surrendered by our country in the treaty, and we want to find out what was given to us as a consideration for that surrender.

Senator TYDINGS. As I understand, in 1921 we agreed to relinquish the right to build bases in the Philippines and in other places, as a concession against the 5-5-3 arrangement and we have not got those bases as a result of the London disarmament conference, and we find that the agreement will virtually mean an increase. In other words, we would give an additional concession for which there seems to be no logical reason. There may be, Senator; but so far I have not heard anybody offer it. I would like to know what it is.

Senator ODDIE. I asked your views, Admiral.

Admiral PRINGLE. Yes, sir.

Senator ODDIE. You remarked that it was the business of a statesman to determine the size and strength of ships and of the fleet. Is that the impression you mean to give?

Admiral PRINGLE. May I tell you what I think?

Senator ODDIE. Yes.

Admiral PRINGLE. I think that the first business of the statesman is to provide for the prosperity and security—or the security and prosperity, whichever way you wish it—of his country. The statesman, in my judgment, is responsible, of course, for conducting the policies of his country, and if and when he finds that those policies run counter to the policies of other countries, and are, therefore, likely to be challenged, he should send for his military advisers, and find out whether he has the means to put those policies over in case they are so challenged; and then if the military man says "We are able to do this," he can proceed. If the military man says that he is not able, then he will have to back off and compromise by diplomacy, or what not, or provide his means which are the Military Establishment to the point where he thinks he can put his policy over; for war is nothing but a continuation of policy by other means. That is all it is.

Senator ODDIE. That brought out something I was glad to hear, because a statesman, as a rule, is not a man who has been trained for life in military or naval matters.

Admiral PRINGLE. Quite so.

Senator ODDIE. And the average statesman would be hopelessly lost in trying to decide such matters without experts on military and naval matters; and the question is, What is the best military and naval opinion that he can receive? As I take it, the best in the world is from our General Board of the Navy and the General Board of the War Department.

Admiral PRINGLE. I think so.

Senator ODDIE. We have heard a good deal of criticism of our General Board lately by civilian statesmen, who are not as thoroughly trained in naval and military matters as the members of our General Board, which I do not like to hear.

Do you know of any way in which a better posted, more experienced body of men could be secured than the method that has been adopted in selecting our General Board?

Admiral PRINGLE. No, sir; not as far as affairs naval are concerned. The General Board is an instrument within the organization of the Navy Department for formulating policies and advising the Secretary of the Navy upon military matters.

Senator ODDIE. Is not the General Board composed of men who have been trained for a lifetime in naval matters and who are the best-posted men on Navy matters in the world?

Admiral PRINGLE. They are, sir; officers of the Navy.

Senator ODDIE. Have they not been selected because of their ability, experience, and efficiency?

Admiral PRINGLE. I presume so, sir.

Senator ODDIE. Then, Admiral, theoretically and, I believe, practically there is no better or more experienced body of men in the world than the General Board?

Admiral PRINGLE. I think so; nobody more qualified for advising the Secretary of the Navy.

The CHAIRMAN. They are the responsible advisers of the Secretary?

Admiral PRINGLE. Yes.

The CHAIRMAN. And you say their advice should be considered by statesmen before they act?

Admiral PRINGLE. I think it must be. I think a statesman, in dealing with military affairs, would be on sound ground if he took the advice of the military experts as the highest form of advice, as he would take the advice of a great many other people in civil life if he was dealing with a question of which he had not much knowledge of the technique.

The CHAIRMAN. Now, of course, in the case of a treaty the statesman negotiates the treaty?

Admiral PRINGLE. Yes.

The CHAIRMAN. Therefore statesmen should be familiar with the military policy of the Navy and get all the facts before they negotiate. Then, after the treaty has been negotiated there are other statesmen, to wit, the Senate, who have to act on the treaty. Therefore they should be kept posted on the military information of the Navy to as full an extent as the men who negotiated the treaty, should they not?

Admiral PRINGLE. I think any man who has to vote on a treaty or anything else in the regular procedure of the Congress of the United States should inform himself as fully as it is possible for him to do so on the merits of the question involved before voting.

The CHAIRMAN. Did you have anything to do with the Geneva conference?

Admiral PRINGLE. No, sir; nothing.

The CHAIRMAN. I understand that at that conference the fullest studies were made by the General Board of every question that could possibly come up at the conference, and that our delegates at the conference had the benefit of this information. Would you say that the General Board had been requested to make full studies of every matter that could come up in connection with this conference?

Admiral PRINGLE. No, sir; not so far as I know.

The CHAIRMAN. Do you know of any studies that were made by them at the request of the State Department or their own department, the Navy Department, to be used at this conference, with the exception of the one letter of September 11?

Admiral PRINGLE. With the exception of their activities in connection with negotiations of last summer I know of nothing else that the General Board was called upon to do.

The CHAIRMAN. And you do not know of any written reports that they made, that were made available to the delegation?

Admiral PRINGLE. No, sir; I have no knowledge of any such thing.

The CHAIRMAN. And, of course, as you were over there yourself during the time of the conference, you do not know whether the General Board was then asked to make any reports?

Admiral PRINGLE. No, sir.

The CHAIRMAN. On matters that came up immediately at the conference?

Admiral PRINGLE. No, sir.

The CHAIRMAN. At any rate, you have never seen any such report?

Admiral PRINGLE. No, sir.

Senator TYDINGS. Admiral, as I understood from reading press reports, while the treaty was being negotiated abroad there was a great deal said about France and Italy, Great Britain and the United States were anxious to work out something that would be satisfactory to France and Italy. There was practically nothing said about armies at all at the time. It seemed to a lot of us over here that there was more of a desire to work out their problems than there was to work out the problem of the United States; that the situation around over Europe was more to the fore, and very little was said about the Japanese proposition. Does that seem to you to be quite substantially correct?

Admiral PRINGLE. I do not know.

Senator TYDINGS. The fact that Italy has a standing army of 380,000 men, and Great Britain an army of 400,000 and over, and Japan of 200,000, Russia 644,000, Poland 217,000, and Czechoslovakia, Rumania, and Yugoslavia and all of those countries have larger armies than the United States, at no point was considered openly at the conference?

Admiral PRINGLE. Not to my knowledge.

Senator TYDINGS. Is it not your opinion that the representatives from those countries which do support armies larger than ours, in passing upon naval propositions, had in mind their land strength in affirming or declining any naval proposition offered to them?

Admiral PRINGLE. I do not know, sir. I can not answer that.

Senator TYDINGS. Would it not be logical, if we had an army, for example, of 500,000 men, that in saying how many ships we should sink that should be considered, and should we not consider, after a confer-

ence, and have in mind, how we would be on land if all our Navy was sunk, for example?

To illustrate, of course, we would need a larger Navy if we had an Army of a million men than we would, probably, for defensive purposes, feel in need of with a small Army; is not that true?

Admiral PRINGLE. Not necessarily.

Senator TYDINGS. I mean for defensive purposes? I am not talking about offensive war.

Admiral PRINGLE. In any war in which any country is engaged, they need both an army and a navy.

Senator TYDINGS. Yes.

Admiral PRINGLE. I think there is no record in history of any war that has ever been won by operations exclusively naval.

A war is usually decided by what happens on land and not what happens on the sea.

Senator TYDINGS. Then, taking what you have just said, if the London Disarmament Conference agreed to a curtailing of naval strength, is it not likely that the delegates who agreed to that had in mind their strength on land?

Admiral PRINGLE. Well, I do not know whether it is or not.

Senator TYDINGS. Give me a concrete example on that.

Admiral PRINGLE. As I said to you a minute ago, the successful prosecution of war requires combined operations, and combined operations, if they are to result as they generally would—or sometimes would, at least—in the transportation overseas of armed forces, require absolutely a navy. Therefore, it is a very difficult question to give a categorical answer to.

Senator TYDINGS. For example, England and France are separated by a small body of water; but France has an army of some 600,000 men.

Admiral PRINGLE. Yes.

Senator TYDINGS. England keeps only about one-half of her standing army in Great Britain. Thus, is it not natural when the representatives of France and England sit down in a naval discussion, although armaments are not mentioned and although air force is not mentioned, and although the only thing talked about is sea strength, that the reason for acceding to or rejecting any naval proposition between those countries would largely be dictated by how they would be from the standpoint of the navy rather than from that of all the arms combined? You have said that indirectly, but I am trying to put it to you directly.

Senator GOLDSBOROUGH. Subconsciously.

Senator TYDINGS. No; they have more than subconsciousness about it, I am pretty sure.

You have said that no war was ever won with a navy alone and that all the arms were interdependent. Now, that being so, it seems to me that the thought that would immediately come into a statesman's mind would be: "Well, how will we be then in the other arms in case of war?" That one is largely supplemental of the other.

Admiral PRINGLE. And, that being so, I do not see that it would of necessity follow that you could—I do not think I quite understand your question yet.

Senator TYDINGS. May I ask you this, taking a different tack: Why do we keep a fairly large Navy in the United States as a matter of national policy?

Admiral PRINGLE. Fundamentally it should be kept of a size sufficient, as I said a while ago, to support the national policies of the country, whatever they may be.

Senator TYDINGS. But in case of attack we have 137,000 men in the standing Army.

Admiral PRINGLE. Yes.

Senator TYDINGS. Now, is it not a fact that the reason we keep a pretty good sized Navy is because of the small size of the Army?

Admiral PRINGLE. No, sir; I do not think so.

Senator TYDINGS. I do not mean that is the only reason, but is it not based on the theory that that would stand out there and hold off any attack?

Admiral PRINGLE. I do not know, Senator, what the theory has been.

Senator TYDINGS. I have always understood that the reason we wanted a fairly good-sized Navy was because, in case of attack or in case of war, we would have to use the Navy as a screen behind which we would mobilize the United States activities for warfare.

That being so, I imagine other countries have the same equation; but the avenues of attack would be more likely in France by land than by sea; and perhaps that might be true with Italy. It would not be true with Japan, perhaps, it being an island kingdom. But it seems to me that in the discussion of these naval propositions, in the mind of every delegate over there, and much more so than in the minds of our own delegates, the proposition is: "To what extent can we offset by our land forces any concessions we make in naval force?" That would almost be human, you might say; and, while only naval propositions were discussed about the table, in the conferences among the delegates themselves, in the national conferences, the land armaments and the sea armaments would be talked over, so that they would say: "If you give up this think or that thing, we are able to take care of that with our airplanes and large Army," whereas our delegates usually go abroad

with their attention centered on the Navy alone, while every other nation looks at the entire system of national defense.

Admiral Jones, the other day in testifying, brought out the proposition that Italy and France took the position that all arms were interdependent and that discussion of disarmament should embrace all three categories.

We do not take that position. All we think about, apparently, over here is the Navy, notwithstanding that we have a very small Army in comparison with those other nations.

I have testified instead of you, I think. I beg your pardon.

Admiral PRINGLE. Yes.

Senator ODDIE. Admiral, do you not think something should be explained a little more fully, in order to dissipate the opinion that is in the minds of a great many of our people, that in case of war with another country the question of defense of our shores would be the primary idea? In other words, in case of a war we could not sit still and fight a defensive war; we would have to carry that war—the activities of the war—to the point that is most advantageous to us.

Admiral PRINGLE. Yes.

Senator ODDIE. And the enemy would select the most advantageous point to make an attack on us. If we should sit still and permit a defensive war to go along it might result most disastrously for us. We would lose our commerce and would be in the position of a defeated country. Our pride would not allow that. It seems to me that something should be brought out that would give the idea a little clearer to our people that in case of war we could not fight altogether a defensive war.

Admiral PRINGLE. You might consider when you speak of a defensive war from a standpoint of defense alone that it is illogical. The best defense is a vigorous offense, and you can not, I think, proceed solely and simply on the theory of defense and be logical or get anywhere in war. War is a question of offense, and in the event of war your object is to hurt your opponent, to injure him, and bring him to terms, and unless you take the initiative and the offensive and impose your will upon him in one way or another, no matter how it may turn out, you can never hope to get a definite result, and a stalemate, at least, will result.

Senator TYDINGS. Let me interject this question there: Let us suppose that parity is established between this country and Great Britain. Now, let us suppose that war should break out between these countries and there should be a pitched battle, and our fleet would lose; what is to stop the English, if they cared to—except as a moral proposition—from landing three soldiers on our continent for every one we have? Their army is three times as large as ours.

Or let us suppose that the same thing happened between Japan and the United States. Their army is nearly twice as large as ours, and the reserves are ten or fifteen times as great. What would stop them from landing 4 or 5 Japan soldiers for every 1 we have under arms, if the Navy should lose?

Admiral PRINGLE. Only such defense as you can put up from the shore itself.

Senator TYDINGS. There is no certainty that we are going to win in this war that I am imagining. We hope to and expect to; but suppose we should lose.

But if we had an army back of the Navy, of a comparable size, we will say equal to the Japanese, we would have a pretty good chance of turning defeat into ultimate victory, would we not, on our own soil?

Admiral PRINGLE. On our own soil?

Senator TYDINGS. Yes.

Admiral PRINGLE. I presume so; yes.

Senator TYDINGS. That is the question I attempted to present a while ago.

Is it not a fact that we need a navy in case war breaks out, primarily to preserve the security of continental United States, and having a small army, we would have to have that screen out there until we could build up the army to such size as we needed?

Admiral PRINGLE. That is true. I understand your question was, however, predicated upon something else, and the size of the Navy, of course, is somewhat relative. It depends to some extent on the size of other units.

The CHAIRMAN. Of course, maintaining a navy powerful enough to keep an enemy from our shores does not mean that we would be able to win wars.

Admiral PRINGLE. No, sir. You might keep the other man from winning a war, but you could not win it yourself. You would have a stalemate.

Senator ODDIE. You have been president of the War College recently?

Admiral PRINGLE. Yes.

Senator ODDIE. What is the contact between the General Board and the War College?

Admiral PRINGLE. The president of the War College is ex-officio a member of the General Board, and I attend the general meetings of the General Board, which are held once a month as a matter of routine, and where special subjects come up before the General Board, such as that last summer, when they thought my presence there was desirable, I am sent for.

Senator ODDIE. In the War College, as I understand it, you are giving instructions to the officers of the Navy on all sorts of technical and practical questions that might arise.

Admiral PRINGLE. Yes.

Senator ODDIE. And do you go into the problems that might arise in case of war with other nations?

Admiral PRINGLE. Yes.

Senator ODDIE. From all angles?

Admiral PRINGLE. Yes.

Senator ODDIE. You have the best talent in the world to work out these problems with you; and so the result of the work done in the War College is of benefit to the General Board in making its studies?

Admiral PRINGLE. Yes. It is helpful in time of war.

Senator BROUSSARD. Evidently the delegation did not have the same view that the Senator has.

The CHAIRMAN. Then apparently, apart from this statement you made to the delegation about your views on the cruiser situation, you made no further formal statement?

Admiral PRINGLE. No, sir; I was never called before the delegation again.

The CHAIRMAN. You were never called before the delegation again?

Admiral PRINGLE. No, sir; never.

The CHAIRMAN. And your advice was not asked about any other matters in connection with the treaty?

Admiral PRINGLE. No, sir.

The CHAIRMAN. Or was it?

Admiral PRINGLE. No; I think not, Senator. I do not recollect any occasion subsequent to that. I do not think my advice was asked; not by the delegation, and so far as I recall now not by any individual on the subject.

My time was not burdened; that is to say, I was not unduly—

The CHAIRMAN. Overworked?

Admiral PRINGLE. No; I was not overworked. But what I am trying to express is that I felt that I was there to render opinions, and so forth, when they were asked for.

The CHAIRMAN. And you were at all times ready to do so?

Admiral PRINGLE. Yes.

The CHAIRMAN. Does any other Senator have any other questions?

Senator TYDINGS. I have one question that I think the admiral has first-hand information on, and I would like to get his opinion. It seems to me that for a long while it looked as if the conference would fail; that is, as if the treaty would not be promulgated. Almost everyone in Congress that I asked seemed to have that view, and the press of the country did. Then there seemed to be a new light injected into the situation, and in the last few weeks we got a treaty. The impression is well-nigh inescapable that there was so much of a desire to get a treaty of some kind that the kind of treaty did not matter; the question was to get them to agree as to the international or political effect, or whatever it might have been, to concede, or make concessions, "but for heaven sake get a treaty of some kind. We can not have this thing go to pot without a treaty." What is your opinion about that as an observer? Do you think that is correct?

Admiral PRINGLE. No, sir.

Senator TYDINGS. That is all that I have to ask.

Senator BROUSSARD. A while ago you were discussing about the part that those who have to legislate should play in the building up of national defense. Is it not a fact that no matter what advice is given—and I believe that your advice is absolutely correct, and you subscribed to the 5-5-3 ratio—but is it not a fact, or if you do not care to state it I shall put it in the form of a statement of my own—that notwithstanding the rise it gave us with this ratio, that the Congress of the United States did not provide the means wherewith the Navy could build up and maintain a ratio; and that has been our trouble when we went to this conference? [After a pause.] Do you care to say anything?

Admiral PRINGLE. No, sir. I will leave that in the form of a statement by you, Senator.

The CHAIRMAN. If no other Senator has any questions to ask, that will be all, Admiral.

Admiral PRINGLE. May I hold myself excused, Senator? I should like to go back to Newport to-day.

The CHAIRMAN. Very well.

Admiral PRINGLE. Good morning, gentlemen. It has been a pleasure to appear before you.

The CHAIRMAN. I asked the Secretary of the Navy to have Admiral Hepburn here to-day, but the admiral is in command of the *Texas* and is, I believe, unavailable for several days. We will probably call him before the committee later.

Mr. President, I should like to discuss the testimony of some of the other splendid naval officers who appeared before the Naval Affairs Committee who are opposed to this treaty in its present form, but I am not going to do so because of lack of time. Their testimony is much the same as I have given and is very able and instructive. I wish I had the time to comment on much of it. Among them are Rear Admiral John V. Chase,

Admiral William C. Cole, Rear Admiral Robert E. Coontz, Rear Admiral George C. Day, Rear Admiral Henry H. Hough, Admiral Charles F. Hughes, Rear Admiral William D. Leahy, Rear Admiral Ridley McLean, Rear Admiral L. M. Nulton, Rear Admiral J. M. Reeves, Rear Admiral Samuel Shelburne Robison, Rear Admiral William R. Rodgers, Rear Admirals William H. Standley, M. M. Taylor, H. A. Wiley; Capt. W. W. Smyth, Commander Harold C. Train. I refer the Members of the Senate to the hearings before that committee. It would take too much time for me to quote further from the hearings, and I do not want to take any more time of the Senate. I have discussed these matters at length, because they are very serious and important, and our national defense may depend on our following them.

Congress has passed on the question of the relative merits of the 6-inch and the 8-inch gun cruisers. We have heard the question discussed in this debate for days in the Senate. In passing on that question Congress decided that the 8-inch-gun cruiser was by far the best for us to build, and it authorized the building program which we have been following.

Let me refer to the fact also that our two great airplane carriers, the *Saratoga* and the *Lexington*, are armed with 8-inch guns and not 6-inch guns. Congress appropriated the money in several different acts for the building of those ships; they were in process of building for a number of years. The question of the merits of the 6-inch gun and the 8-inch gun was raised many times; and the Navy Department, the General Board, and Congress, decided that the 8-inch gun was the better gun. All the way through, for a number of years past, we decided in favor of the 8-inch gun as against the 6-inch gun until in London recently when our delegates were persuaded that the 6-inch-gun cruiser was better for us than the 8-inch-gun cruiser.

It is admitted that the 6-inch-gun cruiser is as good for certain purposes in conjunction with the fleet, but for dispersed operations, commerce protection, and for other purposes the 8-inch-gun cruiser is far superior.

It is a question of policy. We have been following a naval policy which our country has adopted from its beginning, and we have prospered under it. We have not deviated from it; and I hope we will not deviate from it now; but if we shall ratify this treaty in its present form we will be deviating from it.

I am not deluded as to what the vote will be on the question of ratification of the treaty; I understand that a large number of the Members of the Senate do not agree with us who are opposing the treaty; but we have our strong convictions and will stick to them. I believe the Senate will make a grave mistake if it shall ratify the treaty in its present form. As an American I think that by ratifying the treaty we may endanger the lives of our people, and possibly the life of our country, but I will be ready at all times, as I know every Member of the Senate will be ready at all times, to help keep our country out of trouble, and to defend it if it should ever get into trouble. We may differ as to the methods of procedure, but we are all good Americans and for the welfare and safety of our country.

Mr. COPELAND. Mr. President, in this debate the matter of greatest interest to me is the assurance of having naval vessels which are suited to guard our lanes of ocean commerce. We can not progress as a nation without our merchant fleet.

We hear much about merchant ships and the importance of maintaining the American merchant marine. Why should it be maintained? Of what value is a well-organized national maritime policy to the man on the street, to the average citizen?

It is extremely difficult, I assume, for an expert in any matter to explain the reasons for his conclusions, at least in language or terms readily comprehended by a man unfamiliar with his specialty. I have asked many a maritime expert to tell me why there should be an American merchant marine. When I do that he turns pitying eyes upon me, and mumbles something about the national defense, or goes into an elevated discussion of advanced marine economics.

Is it really true that everybody in America has a direct personal interest in this subject? Is it important to the common welfare that our flag should fly the seven seas? Why not leave to the British, an hereditary seafaring race, the problem of placing ships on the ocean and handling the freight of the world? Why need we enter into competition with Germany or France or Italy or any other nation choosing to ply the waters of the globe? If we should leave ocean-borne commerce to Britain, we could go to any length in reducing our naval armament; but is it wise to leave the merchant control of the seas in the hands of the British?

Idealism makes an appeal always to high-minded people—and our country is made up of high-minded citizens; but idealism may lead us into unnecessary sacrifice. Practical idealism will

cause us to study what will happen if the particular sort of disarmament provided for by this treaty shall be indorsed by the Senate.

We can trust ourselves. No Member of the Senate believes that the United States will ever enter upon any aggressive war or seek national advantage by force. Nobody believes that will ever happen; and so we can trust ourselves. We keep the faith and have a proper sense of righteousness in consequence; but we have problems to meet just the same.

We have our increasing population to consider—and the increase in population is amazing. My own city of New York now has a population of 7,000,000. The whole country is growing. We ought to give consideration to the employment of our people, to their care, and to the activities of our various industrial enterprises.

We must move our products. America raises on the farm and produces in its factories very much more than can be consumed by our own people. The extra production, referred to as the surplus, must be disposed of in some effective way. Unless we find sale for that excess what will happen to the citizens of the United States? I met last night a group of citizens of my city who have to do with the manufacture and merchandising of women's garments. That group is greatly distressed over present economic conditions and about what is going to happen in order that they may find an outlet for the products of their factories.

Unless sale is found for the surplus it is not difficult to figure out what will happen to us. There will be too much of everything. Consequently prices will fall; everything will be cheap and will be a drag on the market. In that event it might be said, "Well, that is fine; we can live more cheaply and easily; high costs will disappear and household troubles will vanish." But let us think about it a little more.

If that shall happen, the factories will not need so many men; the farmers will dismiss their hands; the railroads will need fewer engineers, firemen, conductors, brakemen, and section hands; and all sorts of craftsmen will be thrown out of employment. Fewer trucks will be used; less coal will be consumed and less machinery used. There will be a decrease in building. In consequence the workmen in automobile factories, mines, machine shops, and lumber yards will be sorted over to see which ones shall be dismissed. Draftsmen and office assistants in architectural offices will be reduced in number; clerks in stores and elsewhere will be without work; in every business there will be depression. In spite of the splendid efforts of the labor unions there will be even a greater surplussage of labor. Not a seasonal situation but a permanent one will be faced. There is but one end to it, and that is material reduction in wages. In the nonunionized pursuits ruinous competition for places will cut wages to the minimum and unemployment will be found everywhere.

What about the low prices of commodities under such conditions? Will it be desirable to have those low prices? There will be no money to buy commodities at any price. Even the doctors, nurses, and school-teachers will suffer. There will be no way of raising money for the professional people, and taxation will be such a burden that every public service must be curtailed. Even the politicians will have their incomes reduced—a dire calamity!

Perhaps I have drawn a gloomy picture; but having lived through some of the old-time panics, I can well imagine what would happen if there were a permanent loss of sale for our surplus.

This picture shows the extreme result of failure to dispose of the surplus. But in varying degrees less than this would be the effect of any interference with the movement and disposal of our extra products. To escape any fraction, no matter how small, of this calamity, we must provide a sure means of moving promptly and advantageously every part of our output from farm and factory.

Our arrangements to handle the surplus must not be lacking in regularity and certainty. There must be a means of advertising our wares, of getting them to the foreign markets, of bringing back raw materials and such needed substances or products as are not to be found in America. This transportation and sale must be accomplished in the most economical manner possible. It must be in the hands of dependable friends, our own nationals who have a selfish interest in the welfare of this country. To the exclusion of all other nations they must think in terms of the United States.

This may seem a very selfish program; but there is an old saying, "There are no friends in business." We can be neighborly and charitable when the need arises, but in order to be helpful then we must have the wherewithal. This we can not have without finding sale for our products.

The World War developed every industry in America. We find ourselves now with all the machinery and equipment, with the acreage and facilities to supply and feed the world. No matter how well we prepared in pre-war days, we can not prosper in the future unless we have permanent and dependable arrangements to move our surplus to the uttermost parts of the earth. Old markets must be refreshed and new markets discovered. With the recovery of Europe from its war depression, we must be in the field ready for commercial combat. We must not be lacking in preparedness for what Ambassador Page prophesied would occur, "The War after the War; the War of Trade."

To get back to first principles, it must be made clear why we have not suffered yet. Without such an explanation the unfamiliar mind will wonder why we need to excite ourselves over the surplus and its disposal. Since we have not felt the pinch it may be said, "Why worry?"

Needless to say, there are industries in this country where that pinch is felt. The farmer to-day is suffering as never before. There is nothing pending before us now, of course, that could possibly benefit him. Nevertheless, his plight is an example of the plight that would affect every other industry if there were not some dependable and ever-operating means of disposing of the surplus.

We have heard much about the activities of the various organizations set up by the Government to establish and maintain an effective American merchant marine. Among these was the United States Shipping Board; and, in spite of all criticisms, to my mind that has been a very efficient board, and has served us well, and is serving us well. For the present, certainly so long as Congress makes its annual appropriation, the surplus of articles needed to be carried will be handled by the Fleet Corporation.

A wise Congress passed the merchant marine act of 1920. This provided for the Shipping Board and authorized operation of our ships until they can be sold or turned over to private operators. This insures our safety for the present. So long as the ships last, and so long as replacements and additions are made, our surplus will be moved and the foreign markets will get our goods.

A wise maritime policy will guarantee national prosperity through the decades. For the sake of our children and our children's children, we should make certain that American merchant ships are given freedom of the seas. Under present conditions, that is possible only if we have cruisers with sailing radius sufficient to guard our lanes of trade. And so, as I view this treaty, having in mind the American merchant marine, I am very much distressed because we are not given the cruisers which are necessary for the protection of our merchant ships.

In an address a few days ago to which I listened with great interest, made by the Senator from Pennsylvania [Mr. Reed], he said that in time of war the merchant ships will be out of the running, anyhow. He meant that if there were war between Japan and the United States, of course traffic would be interfered with, or if there were war between England and the United States the merchant ships would not run between the two countries. There have been, however, many times in our history within our memory when there were wars between other countries when we had a neutral position, and yet our shipping was very seriously interfered with.

Every one of us who is old enough will recall the thrilling news that President Roosevelt was to send the White Squadron around the world. It lessens our pride in that achievement to learn that foreign merchant ships accompanied our fleet in order that it might have coal and supplies. Think of the uselessness of naval armament without collier, hospital, and supply vessels! Yet that was the state of affairs prevailing at the time, a condition which continued up to the beginning of the World War.

When that war began this great Nation, the richest and most influential in the world, had under the American flag in overseas trade only 15 ships. The total American tonnage at that time was 164,000 tons, and that was all. That was well brought out in a speech by the Senator from Washington [Mr. Jones] which I heard soon after I came into the Senate. At that time we were carrying only 10 per cent of our commerce in American bottoms. What chance was there to supply the auxiliary needs of the Navy with such poverty in overseas ships?

It is an absurdity to have a great Navy without merchant ships. "An army travels on its stomach," Napoleon said. It is equally true that a navy travels on its stomach. No matter how strong it might be in war vessels and guns, our Navy would be useless without merchant and passenger ships to carry the supplies and the reserves of marines and sailors necessary to make the fleet effective. The converse of this is true, that the purpose of the Navy is to protect commerce.

In the testimony given before the Senate Foreign Relations Committee a great many admirals and other high officers of the Navy appeared as witnesses. The Senator from Nevada [Mr. Oddie] has recently given us quotations from the testimony of those witnesses. Their testimony emphasizes the point I want to develop, that we need these cruisers—ships which I referred to the other day as traffic policemen, because that is what they are; their purpose is to maintain traffic in the lanes of travel just exactly as traffic policemen maintain control of traffic on our highway—we need these traffic policemen of the high seas in order that our commerce may be protected. This is true not necessarily because of any war in which we may be engaged. We recall very well that when there was a great war in which we had no part at the time, we lost many vessels by reason of the activities of belligerents on the high seas. So, if we are to have a successful commerce in full operation in time of war, no matter whether we are in the war or not, we must have these policemen of the high seas, these traffic policemen, these cruisers, to give protection to our commerce.

I observe from the testimony which was quoted by the Senator from Nevada—and I shall quote very briefly and from only one or two of these witnesses—that Capt. Dudley W. Knox, Chief of the Navy Records Division, said:

This treaty represents a fundamental change in our naval policy, since it unduly subordinates the function of commerce protection in favor of the combat strength of the concentrated fleet.

So, as I said in the beginning of my remarks to-day, the fact that I am interested in the American merchant marine, and in having ships upon the high seas go back and forth without interference, is one reason why I oppose this treaty.

We are going to keep faith with other nations. I believe that any party signing a treaty will keep faith; but there are many nations not parties to this treaty, nations having activities upon the ocean, and it might well be that when they are engaged in warfare the conditions of the war will be detrimental to American commerce. So it seems to me that Captain Knox speaks truly when he says that this treaty "unduly subordinates the function of commerce protection in favor of the combat strength of the concentrated fleet."

Capt. Alfred W. Johnson, Director of Naval Intelligence, said:

The 8-inch-gun cruiser is essential to our needs, because it is the weapon for cruiser warfare—that is to say, commerce warfare—which, after all, is the only purpose of the Navy.

If we had no commerce, if we had no ships upon the high seas, is we had a wall built around our country, if we had no contact whatever with other countries, it would not be necessary to have any Navy. The Navy would be quite superfluous. We have a Navy in order that our commerce may traverse the seas undisturbed.

When there was war, and we did not have the merchant ships we needed for our purposes of trade, it is amazing what an effect there was upon the freight charges. It is interesting to note that the freight charges increased 2,000 per cent because of the demands placed upon the ships of neutral nations and other vessels under foreign flags. It has been estimated that in one year the American people paid in increased freight between three and five hundred millions of money, enough to buy a fleet.

No one knows what might have happened to our allies and to America if our country had not been providentially protected. It so happened that at the beginning of the war there were several great German ships tied up at docks in America. Those ships were interned until we entered the war and then we took them over. One of these ships, the *Leviathan*, carried 275,000 of our soldiers across the ocean. It may well be that our possession of that one ship saved the allies from defeat.

It is unthinkable that a great nation like ours should ever again permit itself to be found in so precarious a position. From this time forward provision must be made for an adequate American merchant marine, and for a Navy to protect it, in order that we may make certain of the national defense.

At a recent session of the Congress, almost without debate, the naval appropriation bill was passed. It carried more than three hundred millions of dollars. During the past eight years, in times of peace, we have appropriated over three billions for the upkeep and development of our Navy. We seem entirely willing to pour out countless millions of dollars for naval development, but forget that the Navy would be of no use to us in foreign parts unless it had auxiliaries in the form of merchant ships, and unless we had a type of naval vessels that would enable us to protect our commerce the world over.

Congress has seen fit to pass a very important merchant marine act—the Jones-White law—and as a result of the operation of that law we are speedily developing a great merchant

marine. By Government loans at low rates of interest, by liberal mail contracts, we have met the competitive conditions of other countries and are now developing an American merchant marine. With all the subsidies paid by the British Government in the building of their merchant vessels, naval subventions, and mail contracts, they had taken possession of the seven seas; but now, in our wisdom, we have seen fit to develop our own American merchant marine, and it is being rapidly built up. If nothing interferes, our country may become mistress of the seas.

Mr. President, we have upon the high seas 83 lines carrying the American flag. Nineteen of those lines are controlled by the United States Shipping Board; an equal number, disposed of by the Shipping Board, are operated by American citizens; and, in addition, we have other lines operating one or more vessels acquired from the United States Shipping Board, to the number of 21, if my subtraction is correct; and also 24 other lines operating vessels purchased from the Shipping Board, a total of 83 lines carrying the American flag, in service in foreign trade routes throughout the world.

I have here a map which shows these lines of travel, these trade routes of our various merchant ships. If Senators will look upon this map which I have before me they will see the trade routes, a great number of them, crossing the North Atlantic; a lesser number into the Mediterranean; a great number of lines going to the east and west coasts of South America; lines through the Panama Canal to the western coast of the United States; lines through the Panama Canal to the Hawaiian Islands, to the Philippine Islands, Japan, China, and other oriental points; American lines running to Australia; American lines running around the world.

We did not have this situation before the war. We did not have anything like it before the war; but now we have developed a great commerce, covering every part of the world. How are we to maintain that commerce? We can maintain it only by sufficient cruiser strength in order that these policemen of the high seas may give protection to American ships.

In the absence of naval bases, repair places, and coaling places throughout the Pacific our vessels are not permitted to recon or prepare themselves for an extension of travel. They must depend on the fuel which they take with them. Therefore their radius of activity is decidedly limited.

It is a very interesting thing to find that in total merchant-ship tonnage the United States now ranks second in the world. We now have 1,695 ships of 9,526,108 tons. That is an amazing thing when we remember that before the war we had such a limited American merchant marine. Now, however, by the encouragement of our Government and the enterprise of our citizens, we have developed this great American merchant marine. On the same date—January 1, 1930—Great Britain had a total of 3,034 ships of 18,057,236 tons. So Great Britain still has about a 2 to 1 advantage over the United States in general merchant tonnage.

But the national-defense standpoint must not be disregarded when we speak about our American merchant marine. I am very glad thought was given to that by the naval conference—that under certain conditions of war or disaster merchant ships might be utilized for war purposes. We have a type of vessels which, in the event of hostilities, might be utilized as cruisers or armed transports.

Of this type we have in the United States 83 such vessels, with a total tonnage of 884,064 tons, while Great Britain has 245 such vessels, with a total of 3,170,602 tons; Japan a lesser number, 26 vessels, with a total of 241,106 tons; France, 42 vessels of 434,746 tons; and Italy, 27 vessels of 394,049 tons. But, as will be seen, we have in our merchant marine a considerable degree of national defense, but it can not be developed without the guarantee of safety a well-organized navy can give.

They can not be protected unless we have a well-organized Navy, a Navy made up of the sort of ships which can give protection to these merchant ships in their various lines of travel.

There must never come another time like that when Admiral Dewey chartered foreign vessels to transport his supplies. It does not speak well for American enterprise that 70 per cent of our troops were taken to Europe in foreign vessels, chiefly British. It was only a small number of tiny coastwise vessels and vessels engaged in the Hawaiian and West Indies trades that permitted us to carry any troops under the American flag.

England has a great fleet of swift merchant vessels. Many of these are very large, and all of them are at the disposal of the Government in case of war. Great Britain has a contract with the Cunard Line, under the terms of which the British Admiralty has the right to purchase or lease any vessel owned by this company. It is only a matter of a few days when Great

Britain can provide itself with an ample number of government-owned ships to convoy its navy.

If we may accept the report of the Chamber of Commerce of the United States, our Navy requires as auxiliaries in time of war 65 passenger ships of 16 knots and more, 35 freight and passenger ships of smaller size, 10 refrigerator ships, 50 colliers, 125 tankers, 30 freighters, and 25 yachts, a total of 340 vessels, of three and a half million gross tons. Besides these, there should be several hundred mine layers and sweepers, aircraft vessels, tugs, tenders, and other craft. What inducement is there to build such ships unless we have proper naval craft to protect them?

In a sense the Navy and the merchant marine are Siamese twins. One can not live without the other. Without the merchant ships acting as supply ships to feed the Navy the Navy can not exist, and unless we have the cruisers to give protection to our travel routes our merchant ships can not continue to operate on the high seas.

When it comes to the economic reasons for developing an adequate merchant marine, we enter a field that has more appeal, perhaps, because it touches the pocketbook. There can be no doubt that the presence of the American flag in the ports of the world is one of the greatest means of advertising our products and encouraging their purchase.

That we have need of disposing of our surplus there can be no doubt. Let me remind Senators that the United States produces about 60 per cent of the wheat, 60 per cent of the cotton, 55 per cent of the world's iron ore, 51 per cent of the world's pig iron, 66 per cent of the world's steel, 51 per cent of the world's copper, 62 per cent of the world's petroleum, 43 per cent of the world's coal, 52 per cent of the world's timber output, 65 per cent of the world's naval stores, 42 per cent of the world's phosphate, 80 per cent of the world's sulphur, 63 per cent of the world's mica, 62 per cent of the world's lead, and 90 per cent of the world's automobiles and trucks.

Any nation should be a self-contained nation. To use the language of the economist, we should be "economically self-sufficient." We can not be self-sufficient without transportation facilities capable of exporting our products, and bringing back to us the raw materials we need for our manufacturers. We can not be self-contained unless it is possible for us to have an uninterrupted flow into our country of the imports necessary to our domestic concerns. We must have rubber, wool, chemicals, nitrates, silk, flax, hemp, jute, potash, nickel, tin, vegetable oils, tea, cocoa, rice, spices, coffee, and other foreign products. Many of our industries would have to close down if there were ever any world conditions interfering with American importations. Without ample naval protection, there can be no such assurance.

I have in mind the Boer War when Great Britain commandeered her merchant ships. In consequence, freight rates soared, and in common with most other nations, America suffered because of serious interference with the importations essential to our industrial life. Furthermore, it was impossible for us to get from the Tropics those many things which we need for the feeding of the Nation. Half of our imports come from the tropical regions. They are things we can not produce in the United States and yet they are essential to our well being.

We had a critical shipping emergency during the coal strike in England. British ships were used in "carrying coals to Newcastle." They refused to take the products of our fields and orchards. In consequence, the docks were heaped with wheat, apples, and citrus fruits. Except for the relief provided by the United States Shipping Board, there would have been an agricultural panic.

In 1924 when we had an exportable surplus of wheat, amounting to 250,000,000 bushels, it was necessary to find some way to ship this great quantity of grain or the domestic market would be broken. This emergency was met by the Shipping Board, which sent a fleet of ships into the Gulf ports in the early fall of that year. This was done at an expense of a million dollars to the Shipping Board, but the saving to the farmer has been estimated at from six hundred millions to eight hundred millions of dollars.

It would not be possible to operate these ships in time of war or distress except for the protection given by the cruiser fleet. It is important, extremely important, that there should be the right type of cruisers in order that these trade routes may be kept open. If there is distress, if there is war, if there is conflict between two nations, there is no safety upon the seas, and no merchant ship unprotected is safe. We know perfectly well that in carrying our men across during the late war it was necessary to have these ships in order that the men might be protected; but even in time of peace, so far as our country is concerned, if there were two belligerent nations

fighting upon the sea as well as upon land, then our merchant ships would be in distress.

There is another phase of this question which is overlooked. I refer to the profits which Americans should receive from the carriage of our imports and exports. I am not speaking now about the receipts from freight rates. I refer to the office arrangements, insurance, advertising, salaries, and other administrative features associated with the maritime industry. Americans should be profiting by these expenditures.

This is just as important, I may say in passing, as it is to have alert, businesslike consuls in every foreign port. Better paid and highly capable men should be chosen for this important service. They should be housed in substantial quarters, attractive to the public and appealing to the business men who have occasion to use them. All these commercial features are related to a successful maritime policy.

Let me say in passing that I have seen many times in Europe consular offices which to me were hardly less than a national disgrace. Our consuls were housed in broken-down places, with plaster off the walls. No progressive nation certainly should house its consular officers in any such way.

The importance of an adequate merchant marine has been recognized by American leaders for the past hundred years. Away back in 1870 President Grant in his message to the Congress said:

Building ships and navigating them utilizes vast capital at home; it creates a home market for the farm and the shop; it diminishes the balance of trade against us precisely to the extent of freight and passage money paid to American vessels and gives us a supremacy of the seas of inestimable value in case of foreign war.

Who can question the wisdom of these words from President Grant? How can we hope to have an effective American merchant marine for operation in case of foreign wars for these ships upon the high seas unless we have ample cruiser protection?

I have referred to the emergencies which have arisen because of foreign wars, military and economic. In such times freight rates soar and favoritism is rampant. It is necessary that American merchants and exporters shall have a guaranty of just terms. It is not necessary alone that the rights and privileges of Americans should be guarded, but that the rates charged shall be reasonable. There will always be some means of regulation of the freight rates of American ships to American shippers that will guarantee protection of our importers and exporters. There are times when reduced rates are essential and when for special reasons they are justified. In such instances the American ship owner will do all he can to favor the American exporter or importer. In exchange for that willingness of his to assist in every way possible the industrial life of our country we must do our part to make sure that the American ships upon the high seas are protected as they must be if we are to have this successful merchant marine.

Without adequate naval protection we might as well throw up the sponge and acknowledge our inability to guard our merchant fleet.

It is essential that there should be a proper balance of cargoes in order to make shipping succeed. It is important for the good of our country to have that cargo balancing made in such a way as not to discriminate against American ports or American citizens. "Trade follows the flag," and when we have a merchant marine under our flag we may be sure that American shipping interests will be taken care of as they should be, provided it is a guarded fleet.

It has been reported to the State Department that American goods freighted on foreign vessels are never handled in quite the same way as are the goods of the national of the flag over the vessel. Warehousing, stevedoring, and delivering of goods are likely to be much more satisfactory for Americans when performed by Americans. Delays in transit are much less likely to occur, and in a thousand imaginable ways American interests are sure to be better taken care of when American goods are carried in American ships.

Great Britain pays about a million dollars a year to merchant seamen enlisted in her naval reserve. She pays millions in the form of annual retainers to seamen who drill one week every year with the navy. Great Britain pays about \$100,000 a year to seamen who are known as Royal Naval Volunteers. But this is not all. She pays naval subventions to something like 20 fast steamers so built as to be readily converted into auxiliary naval cruisers. These subventions amount to about a half a million dollars every year. Nor is this all. The Cunard Line receives an annual subvention of three-quarters of a million dollars in return for the obligation which I have already mentioned, of selling or of leasing any vessel of the line to the Government in case of need. Beside all this the British Government pays

liberally for the carriage of the mails. If her naval ships were destroyed, her armed merchant fleet would command the seas. She is wise in her day and generation. There is never any failure on her part to see that she has cruiser strength to give protection to her merchant ships wherever they may be.

We are at a disadvantage because under the terms of the treaty of 1922 we can not fortify in Pacific waters or establish a naval base. A few days ago I had a short letter from a gentleman in my State which I desire to read because it is apropos of a point I wish to make at this place in my address. He wrote me as follows:

DOWNSVILLE, DELAWARE COUNTY, N. Y., June 14, 1930.

HON. ROYAL S. COPELAND,

Senate Office Building, Washington, D. C.

DEAR SIR AND SENATOR: As a unit in the citizenship of New York State, though politically opposed to you, permit me to commend the stand taken in maintaining the authority of the Senate, which I believe you to be taking without partisan ends in mind.

While undoubted altruistic motives move the President in his efforts to make the United States the ministering angel for the dawn of peace, it still appears that, constitutionally, the Senate should be the directing agency of the angelic activities—

I am not sure whether he was referring there to the activities of our delegates at the conference, but I assume he was—

Again, in writing this I thought that it might in part counterbalance the opinions of the 25 ladies more happily vacationing at Cape May than in special session at torrid Washington.

Before closing may I trespass upon your time concerning what follows? Replying to Senator WALSH of Montana, page 61, CONGRESSIONAL RECORD of July 10, relative to Dutch Harbor as a continental defense, you answered, "Not at all; but for the defense of the Philippines and our possessions in the East." You are aware that the main portion of Japan and our Pacific States lie in approximately the same latitude with Dutch Harbor, almost directly north of Honolulu, from which it is distant about 2,000 miles, and from a parallel of latitude connecting Yokohama and the Pacific coast, midway between San Francisco and Los Angeles, about 1,000 miles. On the other hand, the distance from Yokohama to Honolulu is 3,400 miles. It appears, therefore, that Dutch Harbor would not only be invaluable as a Philippine defense, but, in conjunction with naval preparations in the Sandwich Islands, a patrol would readily be established between the two bases across the line of advance of oriental forces, where the advantage of time would be with us by at least 1,400 miles, thus forming a very effective line of first defense for continental United States.

It has often occurred to me that if, in conjunction with these, another strong base were established in the Galapagos Island area there would be inclosed in a great, almost impenetrable triangle that part of the Pacific which stretches from the Panama Canal north. Dutch Harbor is, I believe, in the warm north Pacific current and open the year around. These are the ideas of defense, in the main, which writers on sea power such as Captain Mahan set forth, and they are in line with England's care of her interests throughout the seas of all the world.

Very sincerely yours,

HOWARD B. GOETSCHUS.

In a colloquy which I had with the Senator from Pennsylvania [Mr. REED] I inquired what, if anything, was done about the article in the 1922 treaty which prevents the establishment of any naval bases or the fortification of any of our possessions in the Pacific. I invited attention to Unalaska, one of the Aleutian Islands between Alaska and Japan, pointing out that there is practically a land-locked harbor at Unalaska, Dutch Harbor, which is big enough to take care of practically the entire American fleet. In case of any disturbance with the Japanese, which we hope never to have, that point would probably be a point of attack.

Of course, the Senator from Pennsylvania very properly pointed out that we have no desire every to make such an attack, and I agree fully with him in that regard. But in answer to the question asked me by the Senator from Montana [Mr. WALSH] I said I had no thought that Unalaska would be of any value in the protection of continental United States. But the writer of this letter, quoting Captain Mahan, points out the value that it might have in the establishment of a line of defense along our coast.

It is very interesting to note that Unalaska and Pearl Harbor and San Francisco form a triangle, almost a unilateral triangle. The distance from Unalaska to Honolulu is 2,016 miles, the distance from Honolulu to San Francisco is 2,089 miles, and the distance from San Francisco to Unalaska is 2,035 miles. Then if one gazes upon the map he sees that travel between continental United States and the Orient, unless that travel comes by way of the Panama Canal, crosses a line drawn from Unalaska to Honolulu. If that line were patrolled, there can

be no doubt, as my correspondent points out, that that would be a very important means of defense of continental United States against any enemy approaching from the west.

So more than ever I feel distressed over the provisions of the treaty which gives Japan practically everything she wanted, which give her the sort of navy which she needs for her own defense, and, more than that, the sort of navy which she needs for oriental offense. She has parity with us in submarines.

It would seem to me that great concessions were made to Japan and practically everything given away so far as we are concerned. Though I may be utterly wrong, as I view it, if Japan were given what she asked in the way of ships, there ought to have been the liberty on our part to fortify such places in the Pacific as we deemed it wise to fortify in order to provide for our own protection. I want to speak of that because it seems to me very significant, indeed, and, as I view it, is a concession to Japan which ought not to have been made.

Mr. President, I desire now to turn to another aspect of the naval problem. I refer to the need there may be in the future for assisting in maintaining the peace of the world. One who is unfamiliar with the conditions in central Europe can not look at the picture there, perhaps, and fully understand it.

I spent two or three weeks in Germany late last summer. I must say in defense of the administration that the economic distress of our own country is no different from the economic distress of other countries.

My son was sick in Nuremberg, and I was there for about 10 days. Through acquaintances who lived there I had an opportunity to chat with persons who were well informed regarding economic conditions. I had the same opportunity in Berlin and also at other points in Germany.

Mr. President, there is in that country the nucleus of bolshevism. The seeds are there. All that is needed is to have unemployment and economic distress, as I view it, to have repeated in Germany many of the things that have taken place in Russia. We should face these conditions. We have a direct personal interest in the economic reconstruction of Germany, because that is the buffer state which protects western civilization from the bolshevistic ideas of Russia. That is a feature of this general subject matter which has not yet been touched upon, and which, it seems to me, should be discussed.

DISARMING THE GERMANS

It is a remarkable fact that, while impoverished Germany and Austria—or what was left intact of them by the treaties—are actually disarmed to a point of humiliation to those nations. All the rest of Europe, although economically at the verge of bankruptcy, is bristling with arms on land, if not upon the water.

All the parleys, conventions, friendly meetings of statesmen, treaties, and the League of Nations can not alter the fact that the nations that came out of the World War as victors have never shown the least intention, so far, to disarm. This is the fact, no matter how well meant the plans to this end, started by far-sighted individuals, in or out of office, may have been at the outset.

Germany and Austria together have an army of 123,000 men, and no reserves. Both countries were stripped of all heavy artillery, airplanes fit for military service, fortifications, and other means of modern warfare, even for a purely defensive military action.

It may be in order to ask: What has the League of Nations, notwithstanding the frequent and extensive deliberations in council and in plenary sessions, accomplished so far? What the Kellogg pact? The course which the parley at London in regard to disarmament on the water has taken from the very beginning, shows clearly that the European nations are not ready to agree to disarmament to any extent.

It is immaterial that some of them are inclined to make some concessions in regard to the class A type of battleships. Because of the latest developments of modern technology there is plain indication that large-sized battleships—costly as they are—will soon be obsolete as instruments of warfare. This is so because of their comparative helplessness, their slow motion, and their dependence upon reliable bases at close proximity. We are fast coming to the age of the swift cruiser with a much larger radius of action.

Therefore, no one can speak of a "willingness of the great powers to make sacrifices toward the principle of disarmament" if they really agree on a reduction in number and size of large battleships of their respective war fleets. Long before the naval conference at London was called to order it was safe to wager that the powers which—through the assistance rendered by the United States—came out as victors of the World War

would not yield an inch of ground as regards armaments on land or on water.

It is really interesting to speculate on the question what the phrase with which the Government and the people of America were finally induced to take an active part in the late World War, "a war to end all wars," really meant.

The alleged "common enemy of a peace-loving world," Germany, lies helpless, fully disarmed, on the ground. Under article 181 of the treaty of Versailles the German Republic may maintain the following "war fleet":

Six armored ships, 6 small cruisers, 12 destroyers, and 12 small torpedo boats.

The larger ships may not be replaced with new ones within 20 years; the torpedo boats not within 15 years. The armored ships may not have a larger tonnage than 10,000 each, the cruisers no more than 6,000, the destroyers no more than 800, and torpedo boats 200. The personnel of the entire German war fleet may not exceed the number of 15,000. This infinitesimal "force" has no fortified base.

How complete this disarmament really is can be gleaned by comparison with the war fleets of the other powers. I have here, Mr. President, a short table, the figures in which are taken from a compilation, issued under the title "The Problem of Disarmament," by Dr. Heinz Olding, which is considered very reliable. The conditions given are as they were in the year 1928. I ask to have the table printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. Fess in the chair). Without objection, it is so ordered.

The table is as follows:

European navies in 1928

Nation	Battleships		Cruisers		Torpedo boats		Submarines		Air-planes for army and navy
	Number	Tonnage	Number	Tonnage	Number	Tonnage	Number	Tonnage	
Germany.....	4	79,200	6	21,700	24	17,120	57	47,345	1,410
England.....	20	598,720	52	267,950	171	210,390	54	41,930	1,984
France.....	9	197,610	9	82,570	66	78,250	45	23,130	1,200
Italy.....	5	110,300	11	49,240	117	82,890	45	23,130	1,200

Mr. COPELAND. Mr. President, the situation as regards the real object of the London parley for reduction of armament on the seas, as taken from the viewpoint of the great European powers, will become clearer by first including the United States of America in the comparison of war fleets (1928), and by a comparison of land forces—1928—including Germany.

I have here another short table which I ask unanimous consent to have printed in the RECORD.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD.

The table is as follows:

	Class A battleships	Armored cruisers	Torpedo boats and destroyers	Submarines	Personnel
England.....	20	58 (4)	180 (9)	56 (12)	102,250
United States.....	18	32 (8)	295	120 (3)	108,567
Japan.....	10	34 (2)	94 (12)	65 (3)	72,470
Italy.....	5	13 (4)	124 (12)	42 (15)	48,046
France.....	9	16 (6)	83 (13)	60 (28)	59,151
Germany.....	4	8 (2)	32 (4)	57	15,000

Numbers given in parentheses were then building.

Mr. COPELAND. The New York World on February 18, 1930, said very aptly in an editorial in regard to the disarmament parley at London:

It is difficult to tell at this distance whether, with the goal of armed hegemony in sight, France will abandon the dream in return for any kind of "political security" which could be offered to her. In all candor it must be said that the experience of the last 10 years is discouraging. France emerged from the war with an artificial supremacy on the continent of Europe; that is to say, she emerged with a supreme army, thanks to the help of Britain and America. Her policy since that time has been unswerving and consistent; she has aimed to convert artificial into actual supremacy, and in that she has now attained a very high degree of success. Germany is still disarmed. The union of Germany and Austria is vetoed. The French military alliances with Poland, Czechoslovakia, and Yugoslavia are intact. The French Army, though it has been reduced, is in equipment and strength the first army in the world. It has been supplemented by an air force of unknown but enormous potentiality. It is backed by a navy so designed as to

guarantee French maritime communications against any European power but Britain and to be capable of threatening, more seriously than Germany was able to threaten them, the maritime communications of the British Empire.

What Great Britain really wanted at the London parley is quite clear. Her economic structure greatly weakened by the costly victory in the World War, she could not maintain the supremacy upon the high seas if the United States, enormously rich, had a mind to arm on the seas to only half its economic capacity. Therefore England readily yielded to the demand to sit in council with a view of reducing sea forces.

But Great Britain has no great vital interest in the policies of continental Europe. This is so because the center of her economic gravity lies not on the European Continent but in her spheres of influence beyond the high seas. As long as she is certain that France's war fleet will remain inferior to hers, England is quite willing to allow France to exercise a free hand on the Continent. And so far only Italy, having the same high ambition of supremacy and hegemony over Europe, is a serious obstacle to the red-hot imperialism of France. Therefore Italy insisted stubbornly at the London parley that she would not be satisfied with a second place to any continental power in regard to armament on the water.

Let us now compare the land forces of the European powers on the Continent in order to show what they are to-day, after the "common enemy of a tranquil and peace-loving world," Germany, had been rendered helpless in armament and economically. I have here, Mr. President, another short table, the figures of which are taken from Armament and Disarmament, by Colonel Oertzen, and give the situation as it prevailed in 1928. I ask to have the table printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table is as follows:

Land forces of the powers

Nation	Populace in mil- lions	Peace- time armies	War-time footing	Percent- age of army ex- penditure to entire state budget
Germany.....	63.1	100,000	100,000	7.6
Austria.....	6.3	23,000	23,000	5.1
British Empire, home.....	44.2	1,187,500	(?)	14.2
East India.....	319	301,000	(?)	(?)
Australia.....	6	47,000	(?)	(?)
New Zealand.....	1.4	34,800	(?)	(?)
Union South Africa.....	9.4	69,000	(?)	(?)
France.....	40.7	671,000	4,250,000	28.9
Italy.....	40.4	250,000	5,000,000	23.4
Yugoslavia.....	13	134,400	2,000,000	30.9
Poland.....	29.5	330,000	2,000,000	38.7
Czechoslovakia.....	14.2	100,000	900,000	30

¹ 141 militia.

Mr. COPELAND. It should be pointed out that the so-called "Little Entente"—Czechoslovakia, Yugoslavia, and Poland—whose armed forces are supported to a great extent by France with the money squeezed out of Germany in the form of so-called reparations, are bound to France by a treaty. Taking this into consideration, it becomes clear, on studying a little geography, that France has never yielded an inch from her ambition, established by King Louis XIV in the seventeenth century and kept alive ever since; namely, the ambition to establish a hegemony over entire Europe.

But this ambition can never be accomplished, because to the east, in close proximity to this seething caldron, diligently stirred by France, looms a giant that will take a hand in the game as soon as he sees an opportunity to do so—Soviet Russia.

In such a case the downright folly of the powers in fully disarming and impoverishing Germany, and crippling Austria, will be shown in a surprisingly short space of time, I fear. Germany, disarmed, bled white, and driven to utter desperation by an economic depression never known in history before as to severity and dull hopelessness, and already honeycombed by a powerful and well-financed soviet propaganda, will fall easy prey to the communistic ferment from the east.

Let us see how the Colossus of Soviet Russia, 150,000,000 people, held together by, and stupidly submitting to, a very virile tyranny, is prepared for such an event.

Soviet Russia: Population, 150,000,000; army on peace-time footing, up to 1,200,000 standing army and trained militia; war-time footing, 7,200,000, compulsory military service. All fully equipped, fully trained reserves.

Add to this the skill of German scientists, German technicians, the German talent for organization—all of them readily

available if the Germans as a people are cornered—and any person endowed with normal intelligence will realize the shortsightedness of the leaders of the civilized world.

If this modern Genghis Khan of 150,000,000 people that can furnish man power to the number of 7,200,000 trained men without taxing its general populace above 5 per cent, which experience found permissible without injuring the economic structure, ever gets into motion, Europe will be overrun, and then the white man's civilization will be doomed.

This task of the Russians will be an easy one for two very obvious reasons: First, Germany, so far the bulwark of western civilization, against such an onslaught from the Soviets, will be gone; secondly, it is not very likely that the European groups of the Slavic race—the Czechs, Yugoslavs, and Poles—will ever fight the advance of their "big brother" in the East.

It is madness, it is madness to think of disarming to the extent of limiting our Navy and denying us the type of ship suited for our purposes.

Let us see what becomes of the boasted "disarmament." Japan, it is said, is spared the financial burden of keeping up in the naval building competition. Her people will be relieved and released from the burden of taxation! Her poor will be clothed, and her hungry ones will be fed! But is that the case?

I hold in my hand a copy of the New York Telegram for Tuesday, July 15. The headlines read as follows:

Japan spending savings on navy to build planes. Evidence multiplies that sea forces cut by treaty will be replaced in air. Others boost aviation. United States to put \$12,000,000 into aircraft, but construction is two years behind.

The article is by William Philip Simms, Scripps-Howard foreign editor. The article is dated at Washington, July 15, two or three days ago. I quote it.

While the Senate haggles over the ratification of the London naval treaty the makings of a new race for sea power are already in evidence.

Information from Tokyo reveals that any money saved from her warship building program will be spent, with some thrown in for good measure, on increasing the Japanese air forces, both military and naval.

Does that sound as if Japan were going to be relieved of the burden of taxation for military supremacy, when she takes every dollar that she saves by reason of no longer being under the necessity of taking part in naval competition, and spends every dollar of that money, and more besides, for building aircraft?

I quote further:

It is learned that the extension of the army air fleet to about 30 battalions from the present 17½ battalions; the increase of the naval air fleet by two or three times, and the building of an additional aircraft carrier, are planned by Admiral Taniguchi, the new chief of the naval staff. A battalion is composed of approximately 40 planes.

These increases in Japan's air forces, it was stated, are "to make up for the deficiency of naval strength resulting from the London Naval Conference.

Whatever they did not get—and for the life of me I can not see what that is—but, if they failed to get something that they wanted, they are going to make up for that now by building airplanes, which may be used as a part of their military offense and defense.

Quoting further:

Precisely what happened after the Washington conference of 1922, therefore, appears on the point of being repeated. Then all the great powers, except the United States, took the money they saved by limiting capital ships and aircraft carriers and spent it to build swarms of cruisers, which the conference failed to limit. As a result the United States was soon left far behind.

That is always the fate of the United States. It is left far behind; and after all these conferences, in spite of all the wisdom expended by the delegates and those who took part, when we put into effect what they have done the United States is far behind.

Quoting further:

To-day, the London conference having limited all categories of warships, signs are multiplying that some of the powers represented at London now intend to spend the money thus saved to expand their air fleets, which alone are left unrestricted.

Just as after the conference of 1922, in which no limitation was placed upon cruisers and upon submarines, the building went on; and, as a result of that, these other parties to the treaty far exceeded us in the numbers of cruisers and submarines; and the final tonnage fixed on submarines—52,700 tons, if I am rightly advised—is practically exactly the tonnage

which Japan built after the 1922 conference, and she was permitted to keep all that tonnage.

To continue, quoting further from Mr. Simms's article:

Just how far Japan will go in its plane-expansion program has not been definitely decided. Admiral Kato, former chief of the naval staff, insisted that, after London, Japan should increase the number of her land planes to 40 battalions. The new chief, Admiral Taniguchi, thinks about 30 would suffice.

This difference of opinion, however, is more apparent than real, for the new chief would add to the naval air fleet what he might take from the army. In addition to building a new carrier he plans to triple the number of planes aboard the *Akagi* and the *Kaga*—Japan's *Lexington* and *Saratoga*—and double the number carried by the battleships and cruisers.

The Japanese justify the proposed expansion by calling attention to what Britain, France, Italy, and the United States are doing. In the United States a final appropriation of approximately \$12,000,000 has been made available to complete the 5-year program of 1926. Behind schedule, this should be finished in two more years, when the American Navy will have at its disposal about 1,000 planes.

Japan is attaching increasing importance to its aerial arm. As both range and speed are constantly increasing, together with bombing capacity, the area of the Pacific which the Japanese fleet can control is rapidly spreading.

I have no doubt at all about the control of the Pacific by Japan. We have the one base in the Philippines, which could be starved out, if not actually destroyed, in a short time. When that is destroyed we have nothing in the east. With no privilege of fortifying at Unalaska or elsewhere, with only Pearl Harbor between Japan and continental United States, it can readily be seen that Japan would have control of the Pacific and could give us very serious trouble on the Pacific coast.

Quoting further from Mr. Simms's article:

That aviation will force its way into the next arms limitation conference is becoming apparent. At the same time, diplomats face with misgivings the obvious difficulties which stand in the way. While it would be comparatively simple to limit the number of planes each ship shall carry, abridging the number of commercial planes is quite another matter. The League of Nations has just published a study by Brigadier General Groves showing that the modern air liners are potentially perfectly good bombers, and Rear Admiral Moffett is authority for the statement that every modern ship of the merchant marine can carry from 50 to 200 planes, each with a 300-mile range.

The Stimson formula of "arms reduction by frequent conference, revision, and improvement" is seen as in for a protracted test.

We can not but agree with this final statement of Mr. Simms; and, to my mind, the test of this treaty will come very shortly. Article XXI, which provides the escalator clause, as I said the other day, is a dagger in the heart of the treaty. I assume that the object of the treaty, so far as Great Britain was concerned, and our object, was parity. Have we parity? We think not. Those of us who are opposed to this treaty have very serious criticism of what we have been offered in the way of cruisers.

Is it important to have parity? Did the delegates do everything to get parity with England, and are we to build up to parity if she enlarges her navy? If England notifies us of a considerable increase on her part, will we meet her in that? There is no parity unless we do. Then the boasted parity disappears.

Perhaps, Mr. President, there is some secret agreement which covers this point. That is one of the things that we are entitled to know—whether or not there is such an agreement. But what is the use of having a treaty which provides parity when any signer of the treaty may at any time say, "I must have 4 more battleships, 50 cruisers, 17 submarines, and what not"?

Suppose we passed a law to regulate the height of buildings in this city, as we have done. Suppose the buildings on Pennsylvania Avenue were to be limited to a height of 100 feet. Suppose we passed that law zoning this street, fixing the height of the buildings, but we added a clause that if any owner, for any reason best known to himself, wishes to add 50 feet he may do so by notifying the other owners on the street, and they can do likewise if they please. So the man who intends ultimately to build 150 feet high builds foundations and walls to carry an extra 50 feet. The other owners on the street, in good faith accepting the zoning ordinance, build foundations and walls to carry their buildings only to a height of 100 feet.

That is exactly what we have done in building this treaty, Mr. President. We have provided parity; we have provided certain categories which are to be used to begin with, to establish equality; but if any member signing the treaty desires at any time to increase the number of ships in any category or

categories, that is his privilege, and of course we may meet it if we wish. But it puts a dagger in the heart of the treaty. It destroys all the value which it might have. The hope of parity is a myth.

So, Mr. President, as far as I can see, both for what the treaty does and for what it leaves undone, there is so little good in it and so much that is bad in it that we can ill afford to have anything to do with it.

Yesterday a distinguished Member of this body found fault with us, saying that this is a filibuster, that we are talking merely against time. I can not for the life of me see what object any Member of this body could have in maintaining a filibuster or carrying on a filibuster in this matter. Every man who is here in opposition to this treaty, I am sure all will concede, is just as much a patriot as any man here favoring the treaty. Those of us who take this position have done so in all good conscience and have tried to produce arguments showing why the treaty should not be indorsed and ratified.

Mr. President, I defy any Member of the Senate to read the speeches I have made and find in them any material which does not apply directly upon the question at issue. I have spent hours of time searching the records, finding out what Members of this body in times past have thought, studying what the fathers believed regarding the question. I have tried to bring that material to the Senate and present it here fairly and honestly and frankly and fully. If that is "filibustering," of course, we must make the most of it.

Ultimately this body will ratify the treaty. I am hoping that before that actually happens, the country may be aroused, that the country may know the defects in it and the harm in it, and how helpless it would leave us. There is in this treaty an invasion of our merchant marine, with the probability that it will be interfered with in its activities. This great merchant marine which we are striving to build up will be damaged because of the failure of our country to provide the necessary cruiser protection, which, in the last analysis, is the purpose of the Navy.

From every standpoint, as I view it, this is a treaty which ought not to be ratified. I sincerely hope that even at this late date, hopeless as it looks, there may be a conversion on the part of enough Members of the Senate so that the treaty may be defeated.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Greene	McMaster	Shipstead
Bingham	Hale	McNary	Shortridge
Black	Harris	Metcalf	Smoot
Blaine	Hastings	Moses	Sullivan
Capper	Hatfield	Oddie	Swanson
Copeland	Hebert	Overman	Thomas, Idaho
Couzens	Johnson	Patterson	Townsend
Dale	Jones	Phipps	Trammell
Deneen	Kean	Pine	Vandenberg
Foss	Kendrick	Reed	Walcott
George	Keyes	Robinson, Ark.	Walsh, Mass.
Gillett	La Follette	Robinson, Ind.	Watson
Glenn	McCulloch	Robson, Ky.	
Goldsborough	McKellar	Rheppard	

The VICE PRESIDENT. Fifty-four Senators having answered to their names, there is a quorum present.

Mr. JOHNSON. Mr. President, there is a very different attitude to-day in respect to remarks concerning the London treaty from that which prevailed when originally the treaty was brought before us. When first the treaty came to this country, any suggestion respecting it was received with a lofty scorn by its progenitors, who, in their superior knowledge and with their superior way, sought to relegate the individual who had the temerity to say aught concerning the treaty to the position which he ought to adorn in some sort of obscurity.

There is a different attitude to-day respecting the treaty. There are none upon this floor who either have sufficient confidence in their own views or believe sufficiently in the treaty itself to defend it or to say a word in its behalf. Suddenly we sit and say, "We have the votes, and we are going to put it over."

I do not complain of that. I said yesterday, I say to-day, you have the power, but, by the heavens, you have to utilize it, and you have to utilize it to the full with an individual like me before this document shall ultimately be ratified.

Originally the attitude of those Senators who are the proponents of the treaty was somewhat similar to that which was described long ago in a gathering held in Boston where a very distinguished Irishman was speaker of the evening. It was during the time in reality of the Irish excitement. This distinguished Irishman had come to Boston and in a scholarly fashion had delivered a very remarkable address. The indi-

vidual who presided, a little man from the County Kerry, was proud of the position he occupied in presiding at so great a meeting, and when the orator of the evening had ceased he said, "Is there anyone in the audience who would like to ask the orator of the evening a question?" A big individual sitting near the side of the room rose and said, "Yes; I would like to ask a question. What has become of all the money we have sent over to Ireland and have been sending over there for so long a time for Irish freedom?" No sooner had he uttered this remark than a man on his right smashed him in his eye, a man on his left knocked him in the nose, and they dragged him out of the great theater where the meeting was being held and threw him into the street. When the audience had subsided and everybody was quiet again, the little man from County Kerry who was presiding walked down to the edge of the platform and said, "Ladies and gentlemen, is there anybody else in the audience who wants to ask a question?" [Laughter.]

Mr. President, that was the attitude which our brethren took concerning this treaty when first it was brought here. Their attitude was that no man dared to ask a question concerning the treaty. Their attitude now is that no man who believes in it dare answer a question in regard to the treaty. So times change and there are periods that come in men's lives which, even though they do not bring success and they do not bring ultimate triumph, nevertheless bring about something that is better, for it is better after all to stand here as an old man stands to-night with his head in the air, standing upon his own feet, fighting his own fight, fighting for his country as he sees the right in that country's future, fighting for it and daring to speak concerning it when no man upon the floor of the Senate with the power and the votes dare take issue with him and dare answer a single word he says.

I would rather be in that position with 3 or 4 or 5 or 6 or 7 men standing with me than to be here with 50 or 60 men whipped into line and lashed into inactivity, sitting mute and silent and fearful of uttering a single word.

I have discussed this treaty, Mr. President, discussed it in every single word and syllable that I have indulged in since the debate commenced. There are yet some things that must be said concerning it. I am going to say them if God gives me the strength to stand upon my own feet and repeat them. I am going to say them for the RECORD—the RECORD that hereafter may be read, thank God, proudly read by my children and proudly read by my grandchildren when there were no men here who are fathers or grandfathers who have dared answer a single, solitary word that I have uttered.

So, Mr. President, I turn now to another phase of the treaty which thus far has not been adequately discussed. I turn to the article found in part 5, the second paragraph of Article XXIII, which is as follows:

Unless the high contracting parties should agree otherwise by reason of a more general agreement limiting naval armaments, to which they all become parties, they shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present treaty, it being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to.

That is, Mr. President, in 1935 another conference is to be called and another conference held wherein none of the parties are in any way to be prejudiced by what may have transpired before, and because there has been little said on this feature I desire to present some facts concerning it.

There is one aspect of this treaty which has not yet received any consideration, as I have indicated, and which I regard to be of great importance and in which the interests of the United States are so greatly impaired that I consider it sufficient to cause the nonratification or rejection of the treaty, even though every other part of the treaty might be considered as satisfactory.

I refer to the situation in which our negotiators will be placed in the conference of 1935, which under the terms of article 23 of part 5 is required to be held in order to frame a new treaty to replace and to carry out the purposes of the present treaty.

This reservation, however, is made under the terms of the above article, "it being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to"—that is, to the conference which it is agreed shall be held in 1935 to frame a new treaty to replace the present treaty.

It is clearly set forth that the 1935 treaty shall begin without any prejudice as to what is contained in this treaty, but on the other hand, what is written into the present treaty must inevitably have a very intimate bearing upon the negotiations of 1935, because in all of these conferences which have been held, including not only the recent London conference but also the

Washington conference of 1921 and the Geneva conference of 1927, the status quo in vessels built and building has been taken to be the basis which generally should govern the proportionate strengths of the various powers in the new arrangements which are formulated.

It is therefore important for us now to know what the effect of the ratification of this treaty would be upon the ability of our delegation in 1935 to properly protect the interests of the United States.

In the formal speech of the Senator from Pennsylvania [Mr. REED] delivered before the Senate on July 15, he goes to considerable length to deplore the very difficult situation in which the London delegation were placed by reason of the low status quo ratio of the United States, when the conference was begun.

In these remarks of the Senator from Pennsylvania he points out that—

Necessarily such a conference must take account of the status quo; necessarily when governments meet in conference, as at Washington or Geneva or London, they must take into account the condition of things when they meet. That was one of our greatest embarrassments in the London conference; the condition of things was such that for us to undertake to dictate to the other nations would have been preposterous.

The Senator drew attention to the fact that we came out of the Washington conference with a distinct inferiority in our battleship fleet to the battleship fleet of Great Britain, notwithstanding our very substantial supremacy in battleships before the conference began. He points out that we made an unparalleled sacrifice of the American battleships which were building, and "not only came down to parity with Great Britain, but we came below parity."

In picturing the situation preliminary to the recent London conference, the Senator says:

When the delegation met last autumn and sat down to study the condition of the American fleet at the moment, we were horrified to find that in these auxiliary classes the United States was in a condition of almost hopeless inferiority.

He goes on to specify as to numbers and tonnages of cruisers which then existed, and then says:

I find no fault—there is no good in finding fault—with the people who were responsible for that condition. There is no good in recriminations. If it was a mistake, it was a mistake of the whole country, I suppose; but I for one had never before realized how hopelessly insignificant was our auxiliary fleet, compared to the auxiliary fleets of Great Britain and Japan at the moment we went into the conference.

The Senator thoroughly appreciates the embarrassments which may be caused to any American delegation which enters a conference, as he has said, in a position of disadvantage respecting the status quo. It therefore is of particular interest and importance to know what this American delegation at London has done in the way of protecting our delegation which is to meet in 1935. The American position preliminary to London was admittedly bad. But will the corresponding position in 1935 be better or worse? In my mind, it will be worse, and very substantially worse.

I am going to draw a comparison between the status quo between the three countries at the time of the London conference and the status quo which will exist on the 1st day of January, 1935, assuming that the provisions of this London treaty are carried out in a normal way and without any exceptional circumstances or abnormalities whatever. That is to say, that the vessels which are provided to be built will be built and those which are provided to be scrapped will be scrapped. The basis for comparison in every case is an aggregate of tonnage which is built and actually building. I use this basis because it is the one used at the Washington conference, the Geneva conference, and the London conference in establishing the status quo position of this country. The Senator from Pennsylvania himself uses it as the basis of most of his comparisons. It is true that occasionally he considers only tonnage which is built, and unfortunately he makes this exception to the general rule only in those cases where he is able to show a fallacious comparison against the interests of the United States. Generally speaking, however, there seems to be no doubt from his testimony that the Senator accepts both tonnage which is built and building as the proper one upon which to base comparisons of fleets.

It is true, as the Senator from Pennsylvania has stated, that the United States was in a position of disadvantage with respect to its status quo when the conference met. The actual tonnages at that time, including vessels both built and building, were, in cruisers:

United States	290, 500
Great Britain	367, 805
Japan	240, 810

In destroyers the United States had 200,304, Great Britain had 197,026, and Japan had 129,375.

In submarines the United States had 80,980, Great Britain had 64,904, and Japan had 77,842.

The total of these three categories were as follows:

United States.....	571,784
Great Britain.....	629,736
Japan.....	414,032

I may say, by way of interpolation, here, Mr. President, that these figures have been checked with the utmost care. Naturally I could not personally compile accurately the figures concerning the tonnage of ships, but with the most scrupulous care these figures have been checked, and I am assured of their absolute accuracy.

The ratio of strength of the combined categories was:

United States.....	10
Great Britain.....	11
Japan.....	7.2

It is true that this was an unfortunate position for the American delegation, if it were to gain a treaty which would reestablish the ratio of 5-5-3 in navies for the United States. I will not here go into the many reasons why the United States was equitably and justly entitled to the reestablishment of that ratio. The question of the destruction of the American ratio has been dealt with at considerable length in the minority report, and it constitutes a great injustice to this country.

But I am dealing here only with what the American delegation at London did in the way of still further impairing our ratio—I mean impairing it over and beyond the status quo ratio which confronted them when they entered the conference at London.

Heretofore we have considered tonnages and ratios as applying to the end of the London treaty on December 31, 1936. But this does not represent the proportions of strength which will confront the American delegation in 1935 at the conference which must meet then, and at which such careful reservations have been made by Britain and Japan against prejudicing their general attitude. Unquestionably their general attitude will be governed basically upon the status quo which will exist in 1935. What will that status quo ratio be? That is the question to be determined here, as it must inevitably have such a vital bearing upon the ability of our negotiators in 1935 to properly safeguard the interests of the United States in the years which come after that.

I give here the figures. Counting ships, both built and building, the status quo on January 1, 1935, will be in cruisers:

United States.....	313,500
Great Britain.....	445,976
Japan.....	240,810

In destroyers:

United States.....	150,000
Great Britain.....	154,285
Japan.....	106,270

In submarines:

United States.....	78,760
Great Britain.....	59,860
Japan.....	91,824

Combining these three categories of auxiliaries the totals will be:

United States.....	542,260
Great Britain.....	657,121
Japan.....	438,904

The ratios which correspond to these totals are:

United States.....	10
Great Britain.....	12
Japan.....	8

I digress here sufficiently long to say that I presume it is of little consequence to some of my brethren that these ratios will exist in 1935 at the time the next conference is to be called; but, I take it, it is a matter of the gravest consequence to our Nation that the ratio shall be so greatly changed, and changed all to our disadvantage, at the time when the next conference will meet. It is a remarkable thing that this should be so, and be made so by this treaty. What a pity no interest can be aroused in it!

The English, clever diplomats that they are, figure closely and in a fashion that compels our admiration. I read one of the reports the other day of the British Admiralty, and the British Admiralty, figuring upon tonnages and ships, put its time limit at 1936, because it reached the conclusion that before 1936 there would be really no war; and that when they went into conference the year preceding, in 1935, with the advantages that were accorded them—this was not in the report but it is the implication from what was said—then, with the advantages that were accorded them by this treaty, in 1935 the British

Nation would remain, as it always has been, as it always hopes to be—the undisputed mistress of the seas.

You may be willing, Mr. President, that Britain shall be the undisputed mistress of the seas; you may be willing, sir, that Japan shall have a ratio in navies whereby our commerce never can be protected by the Navy that is accorded us—the commerce of two and one-half billion dollars that we send to the Orient and to the countries adjacent thereto. It may be that the Senate views with absolute approval the proposal that our Navy shall be in such fashion delivered that it will not be able to do the job the Navy always has done for the United States of America; but I can not, sir, take my position upon any such lines as that. I can not assent for a single instant to the view that is mutely expressed—if such a term may be used here—by my brethren upon this floor.

Just think of these ratios—the United States 10, Great Britain 12, Japan 8, when we meet in 1935! Then I can hear a ~~Reed~~, of Pennsylvania, or a ROBINSON, of Arkansas, or perhaps my distinguished friend from Virginia [Mr. SWANSON], who sits on the other side of the Chamber, saying that the status quo is of such importance that, keeping that status quo in mind, the very best has been done for our Nation that it was possible to do. Verily "An ounce of prevention is worth a pound of cure."

Mr. BLAINE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. PATTERSON in the chair). Does the Senator from California yield to the Senator from Wisconsin?

Mr. JOHNSON. I yield.

Mr. BLAINE. I am enjoying very much the remarks of the Senator from California, but a most serious question arises in my mind in view of the speech I have just read, which was delivered by Commander Kenworthy in the British Parliament. If the Senator will permit me, I should like to read a portion of that speech, and then ask the Senator from California and the Senator from Pennsylvania a question. Will the Senator yield for that purpose?

The PRESIDING OFFICER. Does the Senator from California yield for that purpose?

Mr. JOHNSON. I am perfectly willing to yield for that purpose, although, I confess, I have not very much desire to comment upon Commander Kenworthy's utterances. However, I shall be glad to do whatever I can in that regard.

Mr. BLAINE. I find in the United States Daily of to-day a transcript of a discussion giving the address of Commander Kenworthy in the House of Commons of the British Parliament. It is a very long address, and I will read just one portion of it. I now quote:

I am inclined to press on the Prime Minister that the search for parity can be dangerous. There was this much of truth in the speech of the right honorable gentleman the member for Epping, that parity in itself, unless you have a political agreement, may lead to another and a dangerous form of rivalry.

Actual parity between navies, especially in such a different position as ours and the United States, is utterly impossible of attainment. In fact, I am told that at the naval conference there was so much bickering between the naval experts as to which fleet was the stronger, the Americans saying ours was, and we saying that theirs was, that some bright spirit suggested that we should exchange fleets—a good judgment of Solomon. I am glad to see that the story reached Admiral Pratt and that he has told the American Senate that he would not swap his fleet for ours.

Sir B. Falle interrupting said:

Not the fleet as it is, but as it will be in the future.

Lieutenant Commander Kenworthy, resuming, said:

The honorable baronet is quite right—when they have spent \$1,000,000,000. The most necessary thing is to have an agreement. That we have, and on that we can now work. But before we can get a real reduction in armaments there are a great many misconceptions which will have to be cleared out of the way. First of all, is it absolutely necessary that we must build up to the scale of tonnage laid down in the treaty, because, if we are going to build cruisers up to 67,000 tons, it will mean laying down in the next four years 13 or 14 cruisers, at very great cost. If we are going to follow the American example and build 6-inch-gun cruisers of just under 10,000 tons—we have built far larger cruisers in the past to carry 6-inch guns than 10,000 tons, and very unsuccessful they were—then it will be 9 or 10 very large cruisers. But why must we begin to build up to this agreed ratio? Why not wait to see what happens? When this treaty has passed through the sieve of the Senate something else has to happen at Washington. The naval appropriation bill has to be passed.

I am now coming to the proposition that involves the question I desire to ask.

Further quoting from the lieutenant commander:

This part of the statement of Admiral Pratt was not quoted by the right honorable gentleman. The cost of achieving parity, if we all build up to what we can build up to permissively under the treaty, is for the American Nation \$1,071,000,000. For us it will undoubtedly mean supplementary estimates this year.

I assume that that \$1,071,000,000 is the amount permissible to be expended during the life of the London treaty. Let me go back to the paragraph, so that I shall not be confusing my statement with the quotation from the lieutenant commander.

For us it will undoubtedly mean supplementary estimates this year. It will mean three or four cruisers a year for the next four years. Then there is the destroyer question. It will mean 12 or 13 destroyers a year from now onward. We shall have to begin submarine building in the same way when we do not know that the American people will find the money to build up to parity with us.

I am hoping that while the Senate will ratify the treaty the American people will refuse to find the appropriations for the tremendous expansion of the fleet. If you look at the figures of the fleet now and as it will be if they build up to parity, it is a tremendous expansion. Why should we set the example? In 1924 I felt it my duty to attack the Prime Minister on his proposal to lay down the five cruisers. I believe, if he had known everything, and if he had been in a stronger position—he was in a weaker position as a minority government than now—he would have called a halt and delayed the laying down of those five cruisers. I know it was a cutting down of the previous government's intention, but it started the race.

The question I desire to ask the Senator from California, and it is likewise addressed to the Senator from Pennsylvania [Mr. REED] and to the Senator from Maine [Mr. HALE] and to the Senator from Arkansas [Mr. ROBINSON] is this:

In the next four or five years will we find the four Senators whom I have mentioned joining hands in an attempt to levy upon the American people a tax of \$1,071,000,000 for the construction of implements of war?

Mr. REED. Mr. President, will the Senator permit me to answer him?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. JOHNSON. I yield to the Senator from Pennsylvania.

Mr. REED. I do not think it will require anything like that much money to build up to the treaty fleet which we are entitled to have. I am certainly in favor of building up to the treaty limits.

Mr. BLAINE. I will address another inquiry. It was my impression that the President, in one of his messages or speeches, in making a comparison of the cost of the American Navy as between the Washington treaty and contemplated construction and the London treaty, estimated that to increase America's Navy to a parity with that of Great Britain would involve an expenditure of a billion dollars in the next few years.

I also got the same impression from an address delivered by a Senator in debate—I think it was the distinguished Senator from Virginia [Mr. SWANSON]—who said that it would cost \$1,000,000,000 for the American people to increase the strength of the Navy of the United States sufficiently to reach this parity; and, as I recall, he expressed the hope, or at least stated that he assumed that Congress would respond, in effect, to the demands or the implications of the treaty, and provide for building such a fleet.

Mr. President, I think it is very important for the country to know whether or not the Senate of the United States is now engaging in a treaty called a treaty for limitation of armaments and navies when or if it is a matter of fact that it is permissible under this treaty to levy a tax upon the American people in the next few years of over \$1,000,000,000. The question has not been fully answered and it has been quite disregarded. I have not studied this question on a comparison of cost sufficiently to enter upon an analytical discussion of that matter; but I understand that the Senator from California, the Senator from Maine, the Senator from Pennsylvania, the Senator from Arkansas, and the Senator from Virginia are all advocates of a very strong navy, an expansion of the Navy; and I should like to have the exact figures if they are within the knowledge of any of those Senators, or to have them state if they know whether or not the Navy Department has made an analysis of that question.

Mr. REED. Mr. President, if the Senator will permit me to answer, it depends entirely upon the decision of the American people as to whether they want an actual parity with Great Britain. If they do they can get it far more cheaply under the treaty than without the treaty, because the treaty stops the growth of the British Navy, whereas without the treaty presumably the British Navy will continue to increase in the next few years as it has in the past few years.

If we do not want parity we do not need to spend anything for new construction. If we do want parity it will cost less to build up to a stationary standard than to a standard that is increasing. Actually, it seems to me that we can get parity with Great Britain by the construction of about 170,000 tons of additional cruisers. If we do that the cost ought not to exceed \$350,000,000.

It may be that the American people will decide not to take advantage of their rights under the treaty. I hope they will decide to take advantage of them. I, personally, think it is the wise course; but we can not have parity and not have ships. If we want parity we shall have to pay for the ships; but I think the figure of a billion dollars is about three times the amount that actually needs to be spent.

Mr. JOHNSON. Mr. President—

Mr. BLAINE. If the Senator will yield for another moment on that proposition, I think the Senator from Pennsylvania rather begs the question that I asked. The matter in my mind is this: Does this treaty permissively justify or authorize—whichever way you may want to put it—an expenditure of over a billion dollars in order to reach parity with the British Navy?

I understand that a billion dollars is the amount that it will cost the American people to meet the maximum that is permissible under the London treaty. I do not know that I have the figures readily at hand; but, as I recall, the distinguished Senator from Virginia [Mr. SWANSON] went into that question at some length, and discussed that very proposition, and made a comparison in which he undertook to show that under the London treaty it would cost less to reach parity with the British Navy than it will cost under the Washington treaty.

I find in the CONGRESSIONAL RECORD of July 8 that the Senator from Virginia [Mr. SWANSON] said—I quote from page 22:

The opponents of this treaty have claimed that it involves new construction to an amount of about \$1,000,000,000 on the part of the United States. This statement is entirely true.

The Senator from Virginia [Mr. SWANSON] is a member of the Naval Affairs Committee.

Mr. JOHNSON. May I say to the Senator that I should be glad if he would take his volume of the testimony and turn to the testimony of Admiral Pratt, who gives the figures \$1,071,000,000, and then turn to the testimony of Secretary Adams, who gives the figures of about a billion dollars. The Senator will find it in the testimony on page 73 in the one instance and page 78 in the other. I will give it to the Senator.

Mr. BLAINE. I accept the Senator's statement on that.

Mr. JOHNSON. I think the Senator would better read it, because in his thesis it will become important.

Mr. BLAINE. It was not my purpose to join in this debate. My only purpose was to investigate this question. I think the question is paramount, because I feel that if we are to spend a billion dollars of the hard-earned money of the taxpayers of the United States when millions of men are walking the streets without employment, when bread lines are everywhere, when the depression in agriculture was never such as it is to-day, I want to say that it is a serious proposition to contemplate the expenditure of over a billion dollars in the construction of implements of war and destruction. I am sorry that question has not been more fully debated.

That involves another question, and that other question is this: When this treaty is ratified will it be used as the excuse for the Committees on Naval Affairs bringing before the Congress of the United States appropriation bills to carry out the permissible feature of this treaty and in the next 4 or 5 or 6 years appropriate \$1,000,000,000 for that purpose?

I think we ought to be perfectly frank, at least frank with the people of this country, whether we are frank with ourselves or not. I do not see why there is such timidity on the part of Senators, either those supporting or opposing this treaty, in discussing this question of the cost. In all the debates preceding negotiations leading up to this treaty or any other treaty of disarmament, the debates have been filled with predictions as to the impending bankruptcy of nations if they did not reduce their armaments, armaments of land, of sea, and of air. The whole burden of discussion in Congresses and in Parliaments has been: "We must do something to lift this tremendous burden of armaments off the backs of the taxpayers of our respective nations." Yet, in this debate in the two weeks during which it has proceeded there has been scarcely a thought of this important question or a discussion of its importance. So far as I am personally concerned, I must solve it in my own mind in order to decide upon my course in voting upon this treaty.

If we are engaged here in the ratification of a treaty which does not lift the burden of taxation off the backs of the people, we are playing the part of hypocrites. We have pretended that

these naval conferences were for the purpose of reduction of armaments, and thus the reduction of taxation. Then the question naturally arises, Is a treaty brought in here which means the expenditure of a billion dollars? Will this treaty be used, when it is ratified, as an excuse upon the floor of the House and upon the floor of the Senate for passing a naval appropriation bill to meet the permissible parity designed by this treaty?

I am not so much concerned whether 10,000-ton vessels shall carry an 8-inch gun or a 6-inch gun. I am not concerned about that, because I know that conversion may be accomplished almost overnight. I am concerned about the fundamentals involved in the question of disarmament. There are two fundamentals involved. One is reducing the burden of taxation under which the nations of the world are staggering because of the tremendous impetus that has come since the World War in the creation of larger armies, mightier navies, and more extensive and destructive implements of war.

It seems as if the whole world is permeated with the idea of building up instruments of destruction. When we have discussed a naval conference in this Chamber in the past it was my thought that the purpose of such a naval conference would be to pare down the navies, but if we have a treaty here which makes it permissible to expend during the life of the treaty a billion dollars, then we have converted our naval conference into an instrument for the increasing of the navies of the world instead of their restriction and reduction.

Mr. President, the distinguished senior Senator from Virginia [Mr. SWANSON] has long been a member of the Committee on Naval Affairs. He is very familiar with the American Navy. He has served long and ably upon the committee. He usually knows whereof he speaks, and when on July 8 he said these words, "The opponents of this treaty have claimed that it involves new construction to an amount of about \$1,000,000,000 on the part of the United States," he said, "This statement is entirely true," and he followed that statement by this remark, so potent, so full of meaning, so full of prophecy:

I assume, of course, that if this treaty is approved the Congress will authorize a building program giving us the tonnage for which it provides.

Mr. President, that is exactly what the American people have to contemplate. It is a problem which we must solve, and therefore the question naturally arises, Are the Senators who are so vigorously approving this treaty, and the Senators who have so ably and vigorously opposed the treaty, to join hands in coming Congresses to promote and put through appropriations during the life of this treaty which means the expenditure of a billion dollars?

The ranking member on the Democratic side on the Committee on Naval Affairs said:

I assume, of course, that if this treaty is approved the Congress will authorize a building program giving us the tonnage for which it provides—

And there has not been a single voice, either from the proponents or the opponents of this treaty, to deny or to dispute the affirmative prophecy and prediction made by the Senator from Virginia [Mr. SWANSON].

Mr. President, it is a serious situation to contemplate, that we are here to bind ourselves to an instrument the proponents of which declare that it means an expenditure of a billion dollars and that they assume that Congress will authorize the new construction made permissible by this treaty.

To leave this question as to the facts without uncertainty, I want to quote the testimony to which the Senator from California has so kindly called my attention. It is the first opportunity I have had to read it. The testimony is contained in the hearings before the Committee on Foreign Relations of the United States Senate and is in the report of those hearings, beginning on page 73. It is the testimony of Admiral Pratt. I am not acquainted with Admiral Pratt. I just know that he is an admiral in the Navy of the United States. The Senator from California [Mr. JOHNSON] will correct me if I am mistaken in the statement that the proponents of the treaty rely upon the judgment of Admiral Pratt in connection with their position on the treaty.

Mr. JOHNSON. Mr. President, if the Senator will yield—

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from California?

Mr. BLAINE. I do.

Mr. JOHNSON. The Senator is quite right. Admiral Pratt is one of the three or four out of a great number of admirals who is an advocate of the treaty.

Mr. BLAINE. I so understood. Admiral Pratt was testifying before the Committee on Foreign Relations. The testimony I am about to quote was given in relation to the cost. I need

not read what preceded, but my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] asked this question dealing with the matter of cost:

How much, Admiral?

Admiral PRATT. I think I had better give it to you by years. It would run from about sixty-odd millions of dollars at the beginning through various degrees, the peak coming in about 1938 or 1939, when it figures \$120,000,000 for those years, and then drops to \$97,000,000. In other words, it runs from \$62,000,000 right through, making a total of about \$1,071,000,000, as near as I can figure; and that would take in the entire Navy.

The CHAIRMAN. That would take in replacement of battleships?

Admiral PRATT. Yes.

Senator LA FOLLETTE. Does it also take in gun elevation?

Admiral PRATT. Yes. Gun elevation has to be done on only the three last 16-inch ships.

I need not further quote. There is no question that the proponents of the treaty admit that in order to reach the permissible parity provided by the treaty with that of Great Britain it will cost over \$1,000,000,000.

Let me turn to the testimony of Mr. Adams, Secretary of the Navy under the present administration. He was testifying in a narrative way, the chairman having suggested to him that he might make his statement and then the committee would ask him such questions as the members desired. In his narrative statement, beginning on page 78, he said—and I will quote the entire paragraph:

If the Nation feels that its needs demand the full strength this treaty allows within six and one-half years—

That is a short period of time—

that program can be carried out; but it will mean haste, less well-designed ships, crowded shipbuilding facilities, and waste. As the cost would probably approach \$1,000,000,000, it would very probably involve in some years expenditures approaching \$175,000,000.

Mr. President, it seems to me that those who have promoted the treaty owe it as an obligation to the people of our country to discuss most thoroughly the tremendous cost to the taxpayers of the country as permissible by the treaty. Of course, Mr. President, if Great Britain does not desire to construct the war vessels under the treaty she will not impose great tax burdens upon her people. If the United States declines to appropriate the money necessary to accomplish the permissible features of the treaty, then we need not worry about the cost.

But the question in my mind is, Will these Senators who have so vigorously defended and opposed the treaty join hands in succeeding Congresses in promoting and in fostering and in voting for appropriations to meet the permissible demands of the treaty?

Mr. President, in anticipation of that which will probably occur, I can quite readily appreciate that those Senators who oppose the treaty on the ground that we have a lack of parity with Great Britain or with Japan, or with both, will be in an entirely compatible position to advocate the appropriation of the \$1,000,000,000. Such conduct on their part would be in harmony with their position in the debate on the treaty and entirely justifiable on their part from the standpoint of their position. But they have informed the country as to their position.

The distinguished senior Senator from California [Mr. JOHNSON] has most vigorously opposed the treaty on the ground that it threatens the national defense of our country. I am fully conscious that his sincerity is beyond question. Holding to that position when an appropriation bill comes before the Senate to meet the permissible demands of the treaty, the Senator's voice, of course, will be heard in behalf of an appropriation looking toward an increase in the number of war vessels for the United States in order to meet what the proponents claim is a parity in armament, but which the Senator from California claims is short of parity.

If the Senator from Virginia [Mr. SWANSON] were here, I have no doubt that he would answer my question quite frankly if I were to ask him if he proposed to promote and vote for additional appropriations in order to meet the permissible demands under the treaty. I have no question in my mind that the Senator would frankly answer, "Why, certainly." I take no unfair advantage of him in his absence in that statement because he has already expressed the opinion in the debate, not only an opinion but has made the assertion that Congress "will authorize a building program to give us the tonnage for which it provides."

Are we to have as frank an expression from the distinguished Senator from Pennsylvania [Mr. REED]? Will he find himself in accord with the senior Senator from Virginia [Mr. SWANSON]? Will the Senator from Arkansas [Mr. ROBINSON] find

himself in accord with his colleague on the other side of the aisle, the senior Senator from Virginia? That question will be answered when the appropriation bills of the future come before the Senate. We shall then ascertain whether or not this treaty is to be made an excuse for additional appropriations for naval expansion.

I am perfectly frank now, Mr. President, to advise those who may be interested. I assume it does not make any difference to any Member of the Senate, but it does make a difference to the country—that in future Congresses in the consideration of appropriations for naval construction I shall assume that the naval powers of the world intend to restrict their construction, and my vote in this Chamber will be in support of restriction instead of expansion.

Mr. President, there is no obligation of any Senator toward another Senator respecting a matter of this kind. Whatever obligation rests upon Senators that obligation is owing to the entire Senate and to the country which we represent; and I think that naval disarmament could well be promoted and the reduction of navies would be promoted if those Senators who are supporting the treaty on the theory that it will bring about peace on earth would take their place in the Senate at this time before the treaty shall be ratified, and assert it to be their position that when naval appropriations are before the Senate this treaty will not be used as an excuse for the imposition of a billion dollars upon the taxpayers of this Nation. There rests now upon those Senators a grave responsibility in this matter.

If this treaty shall be ratified—and I assume it is to be ratified—and then the American Congress shall engage in an appropriation program calling for the expenditure of over a billion dollars for our Navy, well indeed may the people of the United States question the sincerity of Presidents and Premiers. Once let the people of Great Britain and the people of America be convinced that their Premiers and their Presidents have betrayed them into the expenditure in a few years of a billion dollars, proper and prompt judgment will be rendered by peoples justly enraged over the betrayal.

What hope has the workingman of Great Britain under the labor Premier if labor is to have placed upon its shoulders the burdens permissible under this treaty? What faith or confidence will then be placed in a President, who, equally with the British Premier, promoted the naval conference at London? What will the answer of the people be if that President betrays America into the expenditure of a billion dollars?

Mr. President, I have said, and I repeat, that should my vote be cast for the ratification of this treaty, in future Congresses, so long as I shall have the honor to serve the people of my State, I shall assume that the treaty is to be interpreted and carried out in the spirit of peace and not in the expansion of navies.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Hale	McMaster	Shortridge
Black	Harris	McNary	Smoot
Blaine	Hastings	Metcalf	Stephens
Capper	Hatfield	Oddie	Swanson
Copeland	Hebert	Patterson	Thomas, Idaho
Dale	Johnson	Phelps	Townsend
Deneen	Jones	Pine	Trammell
Fess	Kean	Reed	Vandenberg
George	Kendrick	Robinson, Ark.	Walcott
Gillett	Keyes	Robinson, Ind.	Watson
Glenn	La Follette	Robison, Ky.	
Goldsborough	McCulloch	Sheppard	
Greene	McKellar	Shipstead	

The VICE PRESIDENT. Forty-nine Senators have answered to their names. A quorum is present.

Mr. JOHNSON. Mr. President, when I was interrupted by the very interesting and eloquent discourse of the Senator from Wisconsin [Mr. BLAINE] I was endeavoring to demonstrate the combined tonnages of the navies that the three nations would possess at the 1935 conference, and the ratios of those three navies. I pause for a moment, however, to touch upon that concerning which the Senator from Wisconsin spoke.

The Senator from Wisconsin expressed himself in his usual forceful and eloquent way concerning the expenditures that would be made under this treaty. He read the testimony that was adduced before the Foreign Relations Committee. He read the statements that have been made by the Senator from Virginia [Mr. SWANSON] in respect to that cost. As he said, the testimony of Admiral Pratt before the Foreign Relations Committee demonstrated, according to Admiral Pratt, that the cost of the new navy—that is, the navy that would be constructed under the treaty—would be \$1,071,000,000, and that the cost as estimated by the Secretary of the Navy under the new treaty would be in the neighborhood of \$1,000,000,000; and this new

navy under this limitation treaty that you gentlemen who do not believe in navies are going to vote for, under the statement now of the Senator from Virginia, would cost \$1,000,000,000. So the fact of the matter is that when you vote for this treaty—you gentlemen who are small-navy men—you are voting for the expenditure of a billion dollars, and you are voting for the expenditure of a billion dollars upon a navy that will be an inferior navy, and one not suited to the needs of the United States of America.

So that is the thing that confronts you. I can understand how any man will say that he will not expend that amount of money in naval construction. I can quite comprehend how it is possible for one to go into certain States of the Union and there say, because of the sentiment of his people, that under no circumstances would he indulge in such an expenditure and in such a cost to the taxpayers; but I can not understand how a man who does not believe in a large navy or in naval construction can vote for a treaty under which, if he pursues the treaty, he is going to spend a billion dollars and not get anything in return for it for his nation or for the protection of its commerce.

It will not do for him to say that he is going to vote for the treaty and then not vote for a navy. If he does not believe that the treaty provides a navy for his country, he ought not, of course, to vote for it at all. If he does believe that it provides a navy for his country, how is it possible for him to justify paying a billion dollars for construction when he does not believe in that kind of construction of a navy?

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Minnesota?

Mr. JOHNSON. I yield.

Mr. SHIPSTEAD. If the Senator will pardon me, I do not quite understand how he can say that a man who believes in a small navy can vote for this treaty. I do not see how a man who is opposed to large armaments can vote for it.

Mr. JOHNSON. I do not see how he can vote for this treaty, and I do not see how he can justify himself in the matter of expenditures subsequently.

Mr. SHIPSTEAD. He can only do it on the ground that by his vote he lends sanctity to an agreement of the United States with other nations for a large building program, or a large navy.

Mr. JOHNSON. Exactly.

Mr. SHIPSTEAD. I voted against the last naval appropriation bill because I had hoped that this conference would result in what was called, and is still called by some people, a disarmament program. I fail to see where there is any disarmament here. In fact, it means increased armaments. I expect to vote against this treaty; but if the treaty is ratified I do not see, at least at the present time, how I can conscientiously avoid voting to carry out the purpose of this treaty, and that is to build a large navy at the expense of a billion dollars. It seems to me that is the logical thing to do, and I say it with regret. We are told this is a program of peace! But it means building a billion dollar increase in our Navy.

Mr. JOHNSON. I can readily understand and sympathize with exactly the position of the Senator from Minnesota. When you talk of disarmament, this treaty as a disarmament treaty is perfect nonsense. It is sheer sham to designate it so; and when you speak of it as limitation, it is the most fictitious thing that ever was presented to an unwary public.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. JOHNSON. I yield.

Mr. McKELLAR. Will the Senator yield to me to call the attention of the Senator from Minnesota to the fact that if Great Britain had ever had the slightest idea that America was really going to build that 143,500 tons of 6-inch-gun ships, this agreement never would have been made? I think they are absolutely depending on Senators who have the peace views that the Senator from Minnesota has and that other Senators in this body have, like my smiling and distinguished friend over there, the Senator from South Dakota [Mr. McMASTER], and others here on this floor, not to build up to parity of the kind of ships that Great Britain is willing for us to build.

Mr. SHIPSTEAD. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Minnesota?

Mr. JOHNSON. I yield.

Mr. SHIPSTEAD. If the Senator will yield to me for a moment, Commander Kenworthy—a member of the British Parliament and a commander in the British Navy—the other day, in debating this question before the House of Parliament, told his colleagues not to be concerned about this treaty. He said he hoped we would ratify it; but he said, "You must remember the appropriation bill has not been passed." He did not expect the American Congress to appropriate the money to build a navy under the agreement of this treaty, and so he

felt very sanguine that this treaty could do no harm, because of the fact that it gives the sanction of the holiness of an international agreement to a large naval program which it is expected we will not build up to. A program leaving Great Britain in control of the seas by international agreement and due to our failure to build ships allowed us under the treaty. Whether or not we build up to it, we give, by this treaty, our sanction in the name of peace to a large building program by foreign countries.

If the Senator from California will yield to me for another moment, I want to again call attention to the cancellation of the European debts of Great Britain, France, and Italy, who are now building large armaments, a program they refuse to reduce, and men who are here pleading for this treaty now stood here upon the floor of the Senate and pleaded successfully, almost with tears in their eyes, that we saddle the debts these countries owed us upon the people of the United States, because, they said, these people were not able to pay.

We canceled something like seven to ten billion dollars of those debts. That would have built our inland waterways. Instead these dollars are now building European navies. They can build a great many naval ships with those dollars which the American people are paying. And they are building them now. The American taxpayers, by acts of the American Congress, are paying for the navies of England, France, and Italy.

Mr. JOHNSON. Mr. President, what does the Senator suppose the American taxpayer is for? Here is a naval-limitation treaty that is in the interest of Great Britain and Japan. Why should not the American taxpayer pay for a navy which will be a navy appropriate for Great Britain and Japan and not for the United States? That is what we are here for, is it not? That is what I am protesting against, and the Senator is, but we are lonely in our protests, perhaps.

Mr. SHIPSTEAD. Mr. President, will the Senator yield again?

Mr. JOHNSON. I yield.

Mr. SHIPSTEAD. If the Senator will permit me, I will say that probably some of the reason for that is the fact that some of us are so interested in the welfare of the rest of the world that we are becoming a people without a country to look after ourselves. If we continue to pay other nations' war debts, and so make it possible for them to build large navies and have large armies, we will either not have a country of our own or we must spend a billion dollars to build up to the agreement of this treaty. There is a deception here to which I object. I protest against putting out this program for increased armaments and calling it a program of peace. If we think less about war debts of foreign countries and more about helping our own people to pay their mortgages this country will be better off.

Mr. JOHNSON. Mr. President, I want the Senator to study, too, if he will, Article XVIII, to which I directed myself during a great part of the morning, and which is of such singular phraseology that it seems incredible that it should be presented to the American Senate for ratification. However, pursuing the thesis in which I was indulging when interrupted, that concerning the tonnages of the three nations and the ratios at the 1935 conference, to be held, I repeat, combining these three categories of auxiliaries, the total tonnages will be: United States, 542,260; Great Britain, 657,121; Japan, 438,904. The ratios which correspond to these totals are: United States, 10; Great Britain, 12; Japan, 8.

I want to call attention to the fact that in 1935 another conference is to be held. I am repeating now, because some of those now in the Chamber were not here when I originally presented this matter. In 1935, when the nations meet for the new conference, the status quo will be taken in determining the situation existing, just as it has been taken in the Washington, Geneva, and London conferences. That status quo then, by reason of the London treaty, will be for us much worse than it has been in any previous conference. That arises from this London naval treaty. So that the ratios, I repeat, then will be not 5-5-3, as we fondly imagined we obtained in the Washington conference, but United States, 10; Great Britain, 12; Japan, 8.

It is thus seen that between the sessions of the London conference and the 1935 meeting the relative position of Great Britain will be improved by raising her ratio from 11 to 12, and that the ratio of Japan will be improved correspondingly from 7.2 to 8.

Therefore, all this talk about the other countries standing still while the United States catches up is entirely fallacious. The facts are that under this treaty they will continue to build ahead of us at a greater rate, and by 1935 will have a better ratio for themselves compared with us than is represented by the ratios of 1930.

The question is not whether one believes in a big navy or in a small navy; it is not whether he likes the epaulettes of an

admiral or whether he dislikes the uniform of the United States Army or the United States Navy. If he believes in national defense at all, if he thinks there should be a navy of any sort, of course, necessarily he would wish one that would be appropriate to the job. It would be silly to have any at all unless we had one which might, measurably at least, perform its allotted function.

I can understand the man who says, "I do not believe in a navy at all, and therefore would not vote a dollar for a single ship," but I can not understand the man who will vote for a navy which is going to put his country in a state of inferiority, and not only put his country in a state of inferiority but be utterly unable to perform any rational function of a navy, and that is exactly what one does who votes for this London pact.

The figures which I have given you show that on January 1, 1935, Great Britain and Japan will be in a position substantially better than is theoretically accorded to them on the 31st day of December, 1936, at the expiration of the present treaty. I hope I have made it clear that the position at the end of the treaty is not the position which will govern the negotiators at the 1935 conference. They must necessarily be governed by the status quo at the time of the meeting of the 1935 conference, and there, as I have shown, the status quo will be: United States, 10; Great Britain, 12; Japan, 8; which is the same thing as saying 5-6-4. This is a long way from a theoretical 5-5-3, which there is every equity in maintaining the United States rightfully should have.

It should be worth while to examine the treaty itself and ascertain how this abnormal condition which will exist in 1935 has been brought about. It is very apparent that by special provisions and exceptions and other skillful devices the other countries have carefully planned so that their position in 1935 will be as advantageous as possible. They have planned that their position then will be substantially more advantageous than it was at London, and also substantially more advantageous than it will be on the 31st day of December, 1936.

The principal way in which this has been accomplished has been by speeding up their replacement programs. A conspicuous example of this is the provision of section 1 of annex I, under rules for replacement. This fixes the normal age limit of cruisers as 20 years, to govern for all vessels laid down December 31, 1919. Twenty years has been heretofore regarded as the normal life of a cruiser. But an exception is made to this general rule, providing that in the event of a vessel having been laid down before January 1, 1920, its age shall be 16 years. The effect of this is to enable Great Britain to advance the construction of about 172,000 tons of cruisers before they would normally be laid down by reason of over-age replacements. Therefore Great Britain is enabled to lay down this additional tonnage and have it in course of construction when the conference meets in 1935. A part of it doubtless before that date will actually replace tonnage which will be scrapped, but by far the greater part of it will not serve as a finished ship to replace a finished ship, and therefore the British status quo total tonnage in 1935 will count both the ship which is under construction and the ship for which such construction is destined to serve ultimately as replacement.

The same article, while affecting two ships of the United States which would benefit under the article to that extent, benefits Japan by about 32,000 tons and thus considerably more than it does the United States. Japan also benefits in a small way from several other special provisions of the treaty which will enable her to have in 1935 a total count which will include not only ships actually built but those actually building.

I call attention further to article 16, paragraph 2, which says that "Vessels which cause the total tonnage in any category to exceed the figures given in the foregoing table (table of maximum allowances not to be exceeded) shall be disposed of gradually during the period ending on December 31, 1936."

Thus these vessels which are to be disposed of gradually may easily remain on all lists at the time of the conference of 1935 and be counted unless over age in that conference to establish the status quo basis there.

In order to safeguard their position still further, the British, by article 20, have specifically stated that the *Frobisher* and *Eglington* may be disposed of during the year 1936, thus making it possible to count them in 1935. By the same article, the British agree not to complete more than 91,000 tons of their replacements of cruisers before December 31, 1936. But when it comes to computing the status quo, it is of no consequence whether the ship is completed or not. What counts is whether she exists, either in a state of building or in a completed state. In the same article, Japan may replace the *Tama* by new construction to be completed during the year 1936. Thus the new construction will be in existence in 1935 and will count there for Japan.

Under the same article, subparagraph "D," we have the provision that Japan may anticipate replacement during the term of the present treaty by laying down not more than 10,200 tons of submarine tonnage, of which not more than 12,000 shall be completed by December 31, 1936. Here again the restriction upon the date of completion does not affect the status quo in 1935, and this advance construction by Japan will operate to her benefit in computing the status quo in 1935.

In contrast with this, such provisions of the treaty as will safeguard the status quo position of the United States, in 1935, are inconsiderable.

There is not even a loophole in our destroyer situation. It is true that we also may gradually dispose of vessels which cause the total tonnage to exceed the quota, and we now have a large surplus in respect to destroyers, but the unfortunate fact is that the treaty fails throughout to balance our destroyer advantage against foreign cruiser advantages. By 1935 nearly all of our destroyer tonnage becomes over age, and even though we were to dispose of it only gradually up to December 31, 1936, its being over age would debar it from counting in our status quo at the conference of 1935.

So much for that particular question, Mr. President. It is an important question and one which heretofore has not been discussed and which, if the Senate were interested in the Navy of the United States, ought to be thoroughly familiar to our people and ought to be thoroughly familiar to our Senate. I do not know what has happened concerning our Navy. I do not know what has happened in respect to our treaty. But I remember an oft-told tale when I was a younger man about Charles Stewart Parnell when he was ruling with iron discipline the Irish Party in the English Parliament. Parnell was a man, as we all know, of very great ability. I can remember the days of the Irish Party in the English Parliament; perhaps some of those here are as ancient as I am and can recall the marvelous times when they used to be expelled quite regularly and the rows that they used to create constantly in that Parliament. Parnell was fighting his fight for his land, fighting his fight for freedom. Suddenly one day he issued an edict that no man a member of the Irish Party should put his legs under an Englishman's mahogany. They asked why he issued such an edict as that. He said, "The greatest foe of Irish freedom is the English napkin." Sometimes I think, my friends, that the greatest foe of the American Navy is the English napkin.

However, that may be, Mr. President, an address that was quite notable was made the other day by one of the proponents of the treaty which in my opinion has not been adequately responded to and to which I intend to respond in some degree, though perhaps not wholly adequately. Thus I devote myself for a short period of time to the speech that was made the other day by the Senator from Pennsylvania [Mr. REED].

I have referred, in the addresses which I have made to-day upon the subject, at considerable length to the question of the status quo we will have in 1935 and to the complaint of the Senator from Pennsylvania [Mr. REED] as to the great embarrassment in which the American delegation at London was placed in 1930 on account of our disadvantage in relation to the status quo when they began their negotiations. I have shown, Mr. President, that notwithstanding their emphatic realization of the importance of the question of the status quo, they have failed utterly to safeguard that status quo which was their inheritance from the conference of 1922 and have allowed the London treaty to undermine the status quo which we at least had in 1930.

I now comment upon the speech of the Senator from Pennsylvania. First, consider in a little more detail various aspects of this status quo at Washington and at London.

Senator REED has stressed the fact that we entered the Washington conference with a supremacy in battleships and came down to below parity; that we came down, he said, to "a distinct inferiority in battleship fleet in my judgment to the battleship fleet of Great Britain." He says that particularly after completion of the *Rodney* and *Nelson* Great Britain had 3 very fine post-Jutland ships and 17 pre-Jutland ships, a total of 20, compared with our total of 18. He thinks that three of ours were also post-Jutland, even though four years older than the *Rodney* and *Nelson*. In this latter point he is mistaken, since while our ships were completed after the battle of Jutland they were designed before the battle of Jutland and failed to include in their designs the lessons of the battle of Jutland. These lessons were incorporated in the *Rodney* and *Nelson*.

However, in his main point he is correct—that we went into the Washington conference with a substantial supremacy in battleship tonnage and came out with a distinct inferiority.

Later in his speech the Senator gives considerable emphasis to the fact that the General Board was overridden at the con-

ference at Washington, and he apparently fails to discern the very obvious conclusion that these two facts have an intimate relation and a significance which is worth our attention.

It is a fact that the General Board was overridden at Washington, and it is also a fact that the very overriding of the General Board was the cause of the sacrifice of our interests there, to which the Senator has drawn special attention. It is a fact that the General Board stood for a higher level of limitation than was finally agreed to at Washington, but the principal divergence of view between the General Board and the American delegation at Washington referred to the selection of the ships which were to be scrapped, and those which were to be retained. Whatever the level of limitation, it was important that in the subsequent detailed arrangements each navy contained a list of ships which in their aggregate would constitute parity. In the making up of this list the General Board's recommendations were overridden, and this is of greater importance than any difference over the question of the level of limitation. Whatever the level of limitation, it is possible to select ships which as a whole would constitute a fair limitation, and this was not done at Washington. The failure to do so was the direct cause of the disparity to which the Senator from Pennsylvania has pointed, and of which he complains so forcefully.

There is a further fact of considerable interest in connection with this question. If we inquire into what happened at Washington in 1922, we find that one of the technical advisers to that delegation was Admiral Pratt, and we find that it was the advice of Admiral Pratt which was depended upon by the American delegation in opposition to the advice of the General Board. At Washington Admiral Pratt's advice prevailed, and the General Board's advice was discarded.

It is a peculiar thing that we find precisely the same situation relating to this individual admiral at London. We find Admiral Pratt in opposition to the General Board, and we find Admiral Pratt's advice accepted by the London delegation contrary to the advice of the General Board.

Let me digress there to say that if the advice which was given in 1922 was responsible for what happened in the Washington conference of that year that advice should have been shunned in 1930 at London. The advice of Admiral Pratt in 1922 resulted in a sacrifice by us greater than that of any other nation, and not only a sacrifice by us greater than that of any other nation but resulted in the deepest harm and injury to the Navy of the United States.

Since Admiral Pratt's advice in 1922 has proved to be so wrong, and has resulted in a great impairment of the national interests, it would appear to be only common sense that we should look with some suspicion upon the advice of Admiral Pratt at the London conference. We might suspect that the advice which he has given us in 1930 might lead to the same result which followed from his advice in 1922, except upon the theory, of course, that we like to be stung in the same place twice, and, liking to be stung in the same place twice, we have permitted the same individual to accomplish the job.

A study of the London treaty would more than confirm such a suspicion. We find, as I have pointed out, that the ratio which we will have upon entering the forthcoming conference of 1935 will be worse for the United States than the ratio which we had in 1930, when we went into the London conference. I will give you these figures again. On entering the London conference the status quo ratio in auxiliary tonnage built and building, combining the three categories of cruisers, destroyers, and submarines, which constitute all of the categories upon which a limitation was placed at London, was 10 for the United States, 11 for Great Britain, and 7.2 for Japan. This ratio will be so elevated for the other countries and correspondingly reduced for the United States under the terms of this treaty in 1935 that when the new conference meets the status quo ratio in these categories will be 10 for the United States, 12 for Great Britain, and 8 for Japan.

I presume that it would not make a particle of difference in this body or with the gentlemen who sit here ready to vote for the treaty if the ratio was 1 for the United States, 50 for Great Britain, and 100 for Japan. Just as readily the treaty would be swallowed, perhaps, and just as easily would our brethren vote for it as with the ratios which I have indicated.

There are further extraordinary circumstances connected with this status quo ratio in 1930.

We have recently come into possession of information that the British delegation at Washington had no intention of doing what the United States fondly imagined it would do. One of their secret papers was recently made public in Parliament by Mr. Winston Churchill, from which it is clearly evident that the British were quite ready to negotiate for the destruction of the American superiority in battleship power at that time. It is a fact that they not only destroyed our supremacy but they re-

duced us to an actual inferiority, as is so emphatically testified to by the Senator from Pennsylvania. It is clearly evident also from this secret document that the British were not prepared to make any corresponding concession respecting their cruiser forces, in which they had a great supremacy in comparison with us. And it is a fact that their diplomacy succeeded in holding on to this supremacy and keeping it absolutely unimpaired.

Mr. President, I might ask, Are there no ethics in these conferences? Is there any reason why the fact that we had scrapped down from supremacy in 1922 to an inferiority in battleships should not count in our favor in 1930? Are there no ethics involved in the situation confronting us respecting cruisers in consequence of the failure to agree upon cruisers at Washington? We felt, following an agreement in principle by all parties to the Washington conference upon the American plan submitted there, and upon the objects of that conference clearly stated in its preamble to eliminate competition in naval armaments, that in the years which immediately followed we should refrain from building up to cruisers. This we did, and we did it primarily because we felt it to be according to the spirit of the Washington conference. This the others did not do. They went ahead with the construction of large cruiser programs, while we stood still. Was there no American delegate at London ready to maintain that ethically we should receive some credit, at least, for our immense sacrifices in battleship power at Washington, and for the fact of our moderation in subsequent naval construction? Apparently not. They even did the reverse. Our delegation allowed the British superiority in battleship tonnage in 1930, a superiority which Great Britain had obtained only through outwitting us at Washington, to be balanced off against concessions which the British are supposed to have made respecting cruisers in 1930. The British have thus twice profited by this difference in battleship tonnage—and this is in spite of the fact that the 1930 conference was specifically called to extend the principles of the Washington conference.

That is one reason why our status quo position at London was no better; but there are further reasons. As the Senator from Pennsylvania has pointed out, what counts at the beginning of a conference to establish the status quo which will govern the future quotas of ships is the ships then existing, whether they are built or building. This has been the general rule which has been observed in all conferences. Sometimes there is also included tonnage which constitutes an approved program for which money has been appropriated, but which is not actually started. There was apparently no attempt made to include the approved American program for which appropriations had in some cases been made in order to improve the American status quo in 1930.

But eliminating these latter, and considering only the tonnages which were built and building, let us see how in advance of the London conference the American status quo was undermined in the most extraordinary way.

We will recall that last July, about three months before the conference was actually called, the President announced that the United States would not lay the keels of three new cruisers which formed a part of our construction program at that time. Simultaneously, Mr. Ramsay MacDonald announced the suspension of work on two of the British cruisers and some auxiliary ships.

The three American cruisers were in such state that within a very short time they would normally have been laid down, and the suspension of work upon them caused considerable doubt as to whether they should properly be included in the American status quo. It is true that there was some fairly approximate balance as between what our President did and what the British Prime Minister did, but I am not informed that Japan made any corresponding move.

The consequence was that our status quo in cruisers suffered some impairment, as is made clearly evident by the arguments which have been brought forward by the Senator from Pennsylvania in his speech. So far as I am able to ascertain, he has, generally speaking, included these three cruisers in the American status quo in his comparisons, but he constantly minimizes their importance and casts considerable doubt upon whether they really should be included in the American status quo of 1930. I take it that this must be a true reflection of the attitude of our delegation at London in this matter, and that such an attitude must have had its influence detrimental to the United States in the negotiations at London.

I call your attention further, Mr. President, to the insistence of the Senator from Pennsylvania upon counting out of consideration the 61 American destroyers and the 34 American submarines which have been placed upon a so-called disposal list. How was such a disposal list created? There is no disposal list in the other navies at this time.

So far as I am able to ascertain, the decision to create a disposal list for American destroyers was reached in September, 1929, after there had been the preliminary negotiations between Great Britain and the United States and arrangements for the conference had practically been made. My information is that at that time all these destroyers were in full commission, with crews on board and actively operating, and that many of them so continued during the proceedings of the conference itself. Some of these destroyers continued in a status of active operation actually after the conference had adjourned. All of them still exist and could be placed in good condition by repairs.

With regard to age, none of these destroyers is obsolete, and while it is true the fact that they were constructed under the pressure of war makes them of less value than had they been constructed in normal times, it is also true that many destroyers in the British and Japanese navies counted in their status quo were similarly constructed under war conditions, and hence of impaired usefulness at this time. It is a fair assumption that such destroyers in the British and Japanese Navies, which correspond to the ages of these destroyers of ours, which have been placed upon a so-called "disposal list," are in a closely comparable state of material efficiency. It is a fair assumption, if these destroyers of ours are to be placed upon a disposal list, and counted out of our status quo, that the foreign destroyers of the same age, constructed under the same pressure of war, should likewise be counted out of their status quo.

But they kept theirs on their regular lists, because they were not obsolete by reason of age, and the unwarranted administrative act on our part of creating a disposal list for our destroyers appears to be a procedure which could only impair the American status quo at the conference itself.

All the American destroyers placed on this disposal list were completed between 1918 and 1921.

Mr. President, this particular matter is important because we have heard the statements made upon the floor about how our friend from Pennsylvania [Mr. REED] was horrified to find how little we had in the way of a navy. It will be remembered that he almost shed tears when he told us how horrified he was to find in what condition the Navy was; and yet we had a magnificent preponderance of destroyers, which would have enabled us to trade off, if we desired, but which we were perfectly willing to strike off the rolls and admit the advantage that the others had in the matter of cruisers.

As I have said, all the American destroyers placed on the disposal list were completed between 1918 and 1921. I wonder if you remember, Mr. President, the feverish work during the war when we completed destroyers in such a short space of time that I hesitate to state the very few days it took to complete one of them. It should be kept in mind, however, that that was the way in which the destroyers of other countries as well were built. Japan and Great Britain built in a like fashion, and the condition of the destroyers of all three countries was quite comparable.

The British list of destroyers, which was used to establish their status quo, contains 106 vessels, which were completed within the years I have mentioned, the same years during which ours were completed. This is approximately 100,000 tons of destroyers. Similarly, there are on the Japanese list which constituted their status quo at the conference 35 destroyers of approximately 30,000 total tons, completed within the same dates as given above. Thus we have a grand total of 141 destroyers of approximately 130,000 total tons in the British and Japanese Navies of ages corresponding to the American destroyer disposal list.

Why was it that this disposal list of ours was created on the eve of the conference? Why is it that the Senator from Pennsylvania has argued so earnestly here that these American destroyers should not be counted, or if counted, that their weight is negligible, without at the same time arguing in precisely the same way as to Japan and British destroyers? Why does he argue a case against the United States?

He does the same thing respecting submarines, and their case is closely analogous to that which I have just detailed respecting destroyers. If anything, there is a greater injustice to the United States in the submarine situation.

The disposal list for them was created actually after the conference was called. Of the total of 34 submarines listed for disposal, half are designated to be disposed of not until the year 1931. How extraordinary to count them out of an American status quo in 1930!

If we examine the Japanese and British lists, we find a total of 63 submarines which are of the same ages as these American submarines which have been placed on a disposal list. But these Japanese and British submarines have been counted in their status quo, whereas the Senator from Pennsylvania has

argued against our counting American submarines correspondingly.

Just as I have pointed out in respect to destroyers, the factor which governs whether or not a ship can be theoretically counted in a status quo is its age. It is, of course, true concerning both our old submarines and our old destroyers that their age has resulted in very substantial impairment. But we do not know that such impairment has not also occurred in the British and Japanese destroyers and submarines. They do not tell us. They count their tonnage. But the only fair and equitable assumption to make is that vessels of the same age and tonnage are in substantially the same condition. A contrary assumption against the United States is a wholly unwarranted impairment of just American interests. Yet this seems to have been the attitude of the American delegation at London, and there appears to be every reason for believing that such an attitude at London is reflected in this treaty. The general sense of the remarks of the Senator from Pennsylvania is sufficient evidence of this being a fact.

From the innumerable items in the Senator's speech used as premises which grossly impair American interests, I quote the following relative to submarines:

If we take ships built and building, Japan has 121 per cent of the number we have. If we figure out the number of these ships of each fleet that will be under age when 1936 comes, Japan will then have 228 per cent of the American submarine fleet. She has more in commission to-day, she has more built and building to-day, and she is going to have twice as many by the time 1936 comes, unless we develop an energy which we have not hitherto shown and build some.

Mr. President, I pause to say that that statement is on a par with practically every technical statement that was made by the Senator from Pennsylvania in his address the other day. I think, of course, that he has been misinformed by the naval experts who brought to him the figures that he gave to us; and I think, of course, that, ignorant of the fact that he has been misinformed, he has given these figures to the Senate. But, sir, in the excerpts that I have seen of that speech printed in the international press of the country, and praising it to the skies, all his statements of computations and the like—some of which we have thus far dealt with, and more of which I shall deal with hereafter—are blazoned forth as being the proof positive that all the rest of us are in error, and that no attention should be paid to anything we say.

It is a remarkable thing, sir, that every mistake that is made, every error that is committed, every doubtful point that is resolved, is made, is committed, is resolved against America. Just why there is this coincidence in all the errors is quite beyond me, but it is indeed the fact.

In contrast with this unfair presentation of the American case, I here record the actual tonnages in submarines at the time of the conference, including both vessels built and building, and not including vessels which were really obsolete by reason of age. The United States had 80,980 tons. Great Britain had 64,904 tons, Japan had 77,842 tons.

That is the story of submarines; but there is another story of submarines, too.

The other day, after several months had passed and we had obtained no knowledge of what our delegation had done abroad, I finally asked the Senator from Pennsylvania to produce the proposal made by the American delegation. In the treaty you will observe that submarines are on a parity—that is, exactly the same amount of submarines are given to Great Britain, America, and Japan. When, however, I saw the American proposal that is a part of the record here, I observed that when we made our proposal over there we were trying to preserve something of the ratio that America had; and our proposal was 60,000 for the United States, 60,000 for Great Britain, 40,000 for Japan. But it was just another instance where Japan demanded and Japan got, and just another instance of where, in writing this treaty, it was written always not as we desired, but as was desired by our friends on the other side. And does it not strike you as remarkable, my friends, that there has not been a word said upon this floor about that great, magnificent battleship that was claimed by the American delegation over in London, and the demand made in writing in the proposal of the American delegation to the Japanese and to the British?

Why is there such an abysmal silence in respect to that? I have a memorandum saying that to the experts over there the Senator from Pennsylvania stated that MacDonald had agreed to two. In the minority report you will find the statement made that when MacDonald was here on the Rapidan he and the President agreed upon one. That statement never has been denied, and I do not think it can be denied. Is it not a little marvelous that you have not heard a single whisper concerning it upon this floor during all this debate, notwithstanding two

plenipotentiaries who made the treaty, two Senators who are poking it through, are sitting here upon the floor all the time?

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Tennessee?

Mr. JOHNSON. I yield.

Mr. McKELLAR. Not only that, but under the 1922 agreement the United States had the absolute right within this year and next year to replace these battleships with two other battleships of the type of the *Rodney* and the *Nelson*. It had the absolute right to do it.

Mr. ODDIE. Mr. President—

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Nevada?

Mr. ODDIE. Will the Senator yield for a question?

Mr. JOHNSON. Yes, sir.

Mr. ODDIE. The 5-3 ratio with Japan was granted because the United States surrendered its right to fortify its possessions in the western Pacific. The 5-3 ratio in submarines has been done away with in this treaty. It is 50-50 now under this treaty; and because of the distance between our shores and our possessions in the western Pacific it should be far greater than 5-3, according to computations of the naval experts.

Then, again, I should like to ask the Senator what his opinion is on this question:

From the strictly defensive standpoint, Japan has a very small area to defend—just a group of islands covering a comparatively small area. The United States has thousands of miles of coast line to defend on the Atlantic and on the Pacific. It has the Panama Canal to defend; it has the Hawaiian Islands to defend; it has the Philippines; and yet we are cut down to a 50-50 basis when the least we expected was 5-3.

Mr. JOHNSON. The Senator's query is a very pertinent one. Why it was done, God only knows, and He will not tell. That is about the size of it. You are not permitted to know. These things are kept from you.

Senator of the United States, are you? Oh, no; not a bit of it; not a bit of it! You shall not be permitted to have any knowledge of anything that transpires across the pond. They will do all that is essential, and then come back as plenipotentiaries and as Senators and they will put it over without ever disclosing any of the information or any of the documents that they possess. It is a most unfortunate situation. The Senator spoke of coast line. I come from a State with a coast line nearly a thousand miles in length; and that coast line is a very famous one and destined to be much more famous in the days to come.

Concerning the Senator's remarks as to our inactivity in building, again I call your attention to the fact that the slowing down in American construction in cruisers, destroyers, and submarines has been the result of ethics, and ever since 1922 has existed because we felt that the spirit of that conference required us to be extremely moderate in the laying down of any new ships in those categories. But, in any case, why should he assume that we are not going to do respecting future building precisely what he assumes the others are going to do, and in this illogical way make an attempt to establish an alibi in order to make a case against his own country? Is that the kind of logic which was used at London? There is no wonder that this treaty infringes American interests if such were the state of mind of our delegates.

It is an extraordinary fact that the general premises of the Senator from Pennsylvania in arguing the case against the United States when it comes to destroyers and submarines, in which we have a superiority in status quo, are completely reversed when he argues the cruiser question. In cruisers, what Japan and England have already built and are building is made a great point of, yet little is said as to the poor material condition which must of necessity be true of the older British and Japanese cruisers by reason of their age and also by reason of the fact that they were built during the pressure of war, resulting in inefficient work. Superiority of the British and Japanese in cruisers is emphasized, and, on the other hand, our situation is minimized, apparently for the purpose of making a case against the interests of the United States.

That this was the general state of mind of our London delegation is unfortunately clearly reflected not only in the remarks of the Senator from Pennsylvania but also in the treaty itself.

I have more sympathy with the Senator from Pennsylvania in his dilemma as to deciding upon the merits of the 6-inch and 8-inch gun cruisers. It is evident that he gave lengthy consideration to questions of ballistics and range tables, and armor penetration and gunnery, to details of fleet tactics, and all of the minutiae of allied technical questions. I am not surprised that confusion was created in his mind. I can forgive him for failing to differentiate between how fast a gun can shoot and

how fast it can hit. He has devoted much time to the rapidity with which a 6-inch gun can fire, telling us that it has been fired in target practice as rapidly as 11 shots per minute. It was the late Theodore Roosevelt who gave us the slogan, "It's only the shots that hit that count." I think that if the Senator had borne this bit of wisdom in mind he would not have been led into the error of considering only how fast a gun can shoot.

I am informed by those who ought to know, and who I assume do know, that beyond approximately 16,000 yards the inaccuracy of a 6-inch gun is so great that its percentage of hits is negligible, and that at even lesser ranges a 6-inch gun can not be expected to make more than one-half a hit per minute. At approximately the same range an 8-inch gun would make one-third of a hit per minute, but since the effect of an 8-inch hit is about two and one-half times that of a 6-inch hit, it is evident that the general effect of firing at a range even so small as 16,000 yards is substantially in favor of the 8-inch gun.

I am advised that 20,000 yards would be the extreme limit of any reasonable expectation of profitable fire from a 6-inch gun, whereas the corresponding range for an 8-inch gun is about 35,000 yards. At both of these ranges airplane spotting is necessary.

I can forgive the Senator for the errors contained in his detailed analyses of armor penetration at various ranges for the two types of guns, based largely upon the studies of Captain Smyth, but I can not forgive him for failing to state that the Senator's general conclusions from the data which he quoted from Captain Smyth are exactly opposite to the conclusions stated to him by Captain Smyth. The Senator interprets the data as being favorable to the 6-inch-gun type of cruiser, whereas I am informed that Captain Smyth interpreted the same data, furnished by himself, as being more favorable to the 8-inch type of cruiser.

There you are in dealing with matters of this sort. There was no intention on the part of the Senator, of course, to do otherwise than to speak what he believed to be the facts, but he stated it a little awry. So it is with so many, many provisions of this treaty.

But I fear that the Senator has become submerged in the minutia of technical ramifications. What concerns us the most, and what should concern him the most, is not the detailed analysis but the general effect of all the factors which enter into the problem. And as to such general effect there is not the slightest reasonable doubt as to an 8-inch-gun cruiser being superior to a 6-inch-gun cruiser, even though the latter may have the same tonnage. This is amply demonstrated by the fact that in the treaty itself the British and Japanese were quite willing that we should have in 6-inch cruisers one and a half times what they were willing for us to have in 8-inch cruisers.

If the Senator will read the proceedings of the Geneva conference of 1927, he will there find set forth the attitude of both the British and Japanese toward these cruisers, and he will find the same general attitude reflected by the documents and arrangements preliminary to the London conference. At Geneva in 1927 the head of the British delegation said that the result of their technical studies showed that the 8-inch cruiser is worth two and a half times the 6-inch cruiser. While he was then referring to a comparatively small 6-inch cruiser, even though we increase the size of the 6-inch cruiser it is obviously impossible to make of it an equivalent to an 8-inch-gun cruiser of the same size. And so it is wholly beside the point to become confused and led into false conclusions from detailed analyses of minor technicalities of ordnance, range tables, ballistics, and the like.

Perhaps the greatest misrepresentation in the speech of the Senator from Pennsylvania is his reference to the attitude of the General Board of the Navy concerning 8-inch-gun cruisers. It is true that the General Board on September last expressed its willingness to accept twenty-one 8-inch-gun cruisers. But in so expressing this willingness the board made several reservations, none of which were met in the final agreements expressed in the treaty.

The Senator accuses the board of having itself divided the cruiser category into two subcategories, and thus implies that this was a further element which puzzled the American delegation in the decision which it had finally to make regarding the subdivision into subcategories as proposed and so strongly urged by the British.

I would be very much surprised if it were not a fact that the Senator knows perfectly well that in effect the number of twenty-one 8-inch-gun cruisers was imposed upon the General Board by a higher authority, and that the General Board had

no choice but to accept this number of 21 as a basis upon which they were required to calculate an approximation to parity on the assumption that the total quota of tonnage was to be 339,000.

It is perfectly obvious that under such a set of conditions imposed upon the General Board there was no option for them but to accept the twenty-one 8-inch-gun cruisers, and to take the remainder of the 149,000 tons and recommend that it consist of 6-inch-gun cruisers. The Senator must know that in making this recommendation the General Board had no intention of reversing itself on the principle of subdividing itself on the cruiser subcategory; that under the situation confronting them they intended only that the 6-inch-gun cruisers, which they recommended were to form a part of the American cruiser quota, was a concession to meet a specific case and not as a reversal of policy or principle. These facts as I state them are perfectly obvious from the letter of the General Board itself, written on September 11, and from the general background of which the Senator must have full information.

The Senator from Pennsylvania expresses the difficulties which he was under from having conflicting advice from Admiral Pratt, Admiral Hepburn, and Admiral Yarnell, on the one hand, and on the other hand, the advice of Admiral Jones, Admiral Pringle, and other members of the technical staff. A study of the proceedings of the conference at Washington in 1922, and at Geneva in 1927, would have entirely enlightened the Senator on this. Such studies would disclose to him the arguments which Admiral Pratt brought forward—that he wanted the 6-inch cruiser for fleet combat purposes, and that questions relating to trade protection should be excluded from the basis of limitation—coincided precisely with the general position of Lord Balfour at Washington and Mr. Bridgman and other British delegates at Geneva.

Their whole thesis was that while the British were willing to consider parity and limitation on the basis of parity for the combat fleet itself they have been unwilling to concede parity in trade-protection power. They have always striven for superiority in such trade-protection power, and the Senator would have found here the solution of his difficulty over the conflict of advice which he was getting within the staff of American technical advisers.

A consideration of these broader phases of the question would have enabled him not only to learn that the advice on the side of Admiral Pratt was in exact accord with the wishes of the British and Japanese but it would also have eliminated a fundamental error in the assumptions of the technical advisers who agreed with Admiral Pratt. It was at the instance of Senator REED that the prepared statement of Admiral Yarnell was introduced as the concluding testimony, without cross-examination, before the Senate Committee on Foreign Relations in its recent hearings on this treaty.

Mr. ODDIE. Mr. President, will the Senator yield at this point?

Mr. JOHNSON. I yield.

Mr. ODDIE. I would like to make some observations regarding Admiral Pratt's statement before the Senate Naval Affairs Committee at the recent hearings on the London treaty, as follows:

I am perfectly willing to agree with you that at that time I thought the 8-inch, but I was not so sure that I was willing to commit all my tonnage to that, and I do not think I ever said so, and I still think the 8-inch cruiser for certain work is the best kind of ship we can build. But I do want some of the 6-inch guns, when you measure from fleet combat strength alone. If you are going to talk about protecting trade routes, that is another proposition. I did not make my estimate on that proposition. I made it on fleet combat strength, and it is for you gentlemen to judge whether it is good or not. I had to make it some way, and that is the way I made it.

I think from that statement that our delegates tangled themselves up very badly in taking that kind of advice. They did not understand it. They should have considered the advice of our naval board rather than that of Admiral Pratt in these matters.

Mr. JOHNSON. I thank the Senator for his interpolation. Not only that, but, as I said in one of my addresses during the progress of the contest upon the treaty, one of the fundamental errors which was made in the writing of the treaty was in endeavoring to obtain a fleet solely for fleet combat when the purpose of the navy, and peculiarly the purpose of our Navy, is the protection of commerce.

As far as I am aware, there is no difference of opinion between any of the advisers to the conference or among the delegation, that Admiral Yarnell was quite correct in pointing out that, in the event of war, the balances of the battle fleets had been so carefully drawn under the 5-5-3 ratio established at Washington, that it was virtually assured that all three nations

were reasonably immune from an attack by the battle fleet of one of the others in their home waters. In other words, in the event of a war involving the United States and Great Britain or Japan, no fleet would cross an ocean. It is perfectly obvious, therefore, that the probability of a fleet combat would be extremely remote.

Such being true, how extraordinary that the Senator should have been willing in London to base all of his conclusions upon fleet combat and be willing to take a type of cruiser which admittedly is far inferior for trade protection to the 8-inch-gun cruiser. The results of this treaty in this particular are very paradoxical. It is to give us a fleet which is practically designed for fleet-combat purposes exclusively, when there is to be no fleet combat, and it gives us a fleet which frankly takes no account of the problem of trade protection, when admittedly that is the only purpose for which it will be needed. If there is to be no fleet combat in a war between the United States and either Great Britain or Japan, it is manifest that such a war on the sea must become a war against trade.

If the Senator had informed himself as to the course of events at Geneva in 1927, he would have learned that the main issue there, which forced the conference to break up, was the fact that the British Government finally issued instructions to its delegation to accept no compromise on the 8-inch-gun question. These instructions were issued even after the British Cabinet had been warned by its delegation that such a position would certainly result in a break-up of the conference. This position was not predicated upon the details of ballistics and armor penetration, but upon the general effects of such technicalities and especially upon the general effects with reference to the protection of trade.

The Senator dwells at some length upon the concessions which the British have made in coming down from a theoretical minimum requirement of 70 cruisers to a basis of 50 cruisers. This element of the numbers of cruisers is quite beside the question at issue. As far as we are concerned, there has never been any question as to the numbers of cruisers involved. We do not object to any number of units which the British may choose to build within the total tonnage limitations and, of course, under the Washington specifications, restricting the size and gun power of the individual cruisers.

On an aggregate tonnage allowance provided in this treaty of 339,000 tons Great Britain could build 60 cruisers, if she chose, of 5,650 tons each. We could build under the same tonnage allowance as many as 33 of the 10,000-ton, 8-inch-gun type without threatening the British supremacy in commerce-protecting power.

This is true because of the possession by Great Britain of three powerful battle cruisers, which would be able to support her 6-inch-gun cruisers, by reason also of the numerous naval bases which serve to multiply the effectiveness of such cruisers as she has, and finally because of the large proportion of her merchant marine which is capable of carrying 6-inch guns.

We had no objection to Great Britain building 21 cruisers of 8-inch-gun type if she wanted them. That would solve the Japanese-Australia difficulty. The British maintain that to do this would unduly cut their numbers of individual units. Considering her merchant auxiliary tonnage in the Royal Naval Reserve, I think this argument is weak. She had 30 such ships armed with 6-inch guns during the war.

With 60 cruisers of the 6-inch type, Great Britain's requirements would be satisfied. With 23 cruisers of the 8-inch-gun type American requirements would be very much better satisfied than they have been under this treaty. And the British would still retain their unquestioned supremacy in matters relating to the protection of and attacks upon commerce.

It is my belief that the Senator has greatly overstated the case as to commerce protection in favor of Great Britain. There is no doubt whatever that at the present moment she has the power practically to blockade us and to deny our trading overseas anywhere in the world except with the north and west coasts of South America, in the West Indies, and Central America. His statement as to our trade with the British Empire automatically coming to a stop in the event of war appears to be open to serious question.

It is true that we would be cut off from such trade by the power of the British Navy, but it is not true that if we had a trade-protecting ability comparable to the British Navy that we could not continue to trade and probably would continue to trade with the British Dominions.

In considering this question the Senator is careful to use the word "colonies." If he really means to differentiate between colonies and dominions, the fact is that we have comparatively little trade with any British colony excepting India.

In contrast with this, under the arrangements of this treaty, not a single major trade route of Great Britain could be seri-

ously threatened by the Navy of the United States. We could not hope for such a power even though we were to build all of our 339,000 tons of cruisers in the 8-inch type of ship.

Naturally, as in all wars, even the side which is overwhelmed may do some minor damage. But in referring to British trade routes here I am talking in the sense of threatening them in any large way. We could not do this. The British trade routes would be practically secure except for minor depredations. This applies even to their trade route to the east coast of South America, along which they have several beautifully located naval bases—in the Falkland Islands, West Africa, and Gibraltar, not to mention their possessions at Trinidad, St. Helena, and the Cape of Good Hope. As for the British trade route through the Mediterranean to the Orient and Australia and New Zealand, that would be secure almost 100 per cent. So also with British trade to western Europe, including not only that across the English Channel, which the Senator has mentioned, but also across the North Sea and into the Baltic, as well as their important trade to northern Spain and to Portugal.

If the Senator would look at these broad questions instead of tangling himself and the Senate up in the intricacies of 6-inch and 8-inch guns, I think he would find an injustice in this treaty against the United States of the first magnitude rather than some infinitesimal advantage or disadvantage. It is these questions which we have a right to expect our statesmen to take into consideration. The statesmen who went to London have gone to great pains to attack the technical advice which they received, but the question here is not one of technical advice or whether or not the technical advice was precisely correct in one case or the other. The question concerns big national and international elements; concerns the economic life of this country no less than that of Great Britain and Japan. We here accept in this treaty a wholly unjust handicap upon the economic life of the United States. We here accept a grave handicap upon upward of \$15,000,000,000 worth of American property annually traversing the high seas. We here accept a wholly unjust handicap upon the livelihood of 2,400,000 American families. This estimate of the number of American families so affected comes from President Hoover himself, as stated in his last election campaign.

It seems only fair to the business and trades people of this country, and only fair to the 2,400,000 American families referred to, to expect that our diplomats shall provide that, in the event of trouble, they will have at least an equal chance with the corresponding business interests and families in foreign lands who will be similarly affected. In point of numbers of people and extent of business involved I venture to say that our interests are superior even to those of England herself, who has so constantly maintained that her peculiar position entitles her to superior consideration when it comes to the defense of sea lanes.

But I see no reason whatever why this British contention should continue to prevail indefinitely to the extent of leaving her the power to completely blockade this country, and at the same time the power practically to protect completely her own sea lanes. Regardless of the equity of her general contention as to her special position, there is no justice in permitting her the absolute control of the seas which now exists, and which is perpetuated by this treaty.

Mr. President, I present a reservation which I ask may be filed, printed, and lie upon the desk.

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator desire it read?

Mr. JOHNSON. No; I do not care to have it read.

The reservation intended to be proposed by Mr. JOHNSON was ordered to be printed and to lie on the table, as follows:

Nothing contained in this treaty shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state; nor shall anything contained in the said treaty be construed to imply the relinquishment by the United States of America of its traditional attitude toward purely American questions.

Mr. JOHNSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Gillett	Hebert	McMaster
Bingham	Glenn	Howell	McNary
Black	Goldsborough	Johnson	Metcalf
Blaine	Gould	Jones	Oddie
Capper	Greene	Kean	Patterson
Copeland	Hale	Kendrick	Phipps
Dale	Harris	Keyes	Pine
Deneen	Harrison	La Follette	Reed
Fess	Hastings	McCulloch	Robinson, Ark.
George	Hatfield	McKellar	Robinson, Ind.

Robison, Ky.	Stephens	Townsend	Walsh, Mont.
Sheppard	Sullivan	Trammell	Watson
Shortridge	Swanson	Vandenbergh	
Smoot	Thomas, Idaho	Wagner	
Stelwer	Thomas, Okla.	Walcott	

The PRESIDING OFFICER. Fifty-seven Senators having answered to their names, a quorum is present.

Mr. HALE. Mr. President, as we are reaching the last days of the debate on the London treaty, I think it is fitting to take up a few minutes of the time of the Senate to read President Coolidge's Armistice Day address of November, 1928. In his address President Coolidge makes some very pertinent remarks about the Navy, which are well worth considering at the present time. President Coolidge spoke as follows:

Fellow countrymen, we meet to give thanks for 10 more years of peace. Amid the multitude of bounties which have been bestowed upon us, we count that our supreme blessing. In all our domestic and foreign relations our chief concern is that it should be permanent. It is our belief that it is coming to be more and more realized as the natural state of mankind. Yet, while we are placing our faith in more complete understandings which shall harmonize with the universal conscience, we ought not to forget that all the rights we now possess, the peace we now enjoy, have been secured for us by a long series of sacrifices and of conflicts. We are able to participate in this celebration because our country had the resources, the character, and the spirit to raise, equip, and support with adequate supplies an Army and a Navy which, by placing more than 2,000,000 men on the battle fields of Europe, contributed to the making of the armistice on the 11th day of November, 1918.

Our first thought, then, is to acknowledge the obligation which the Nation owes to those who served in our forces afloat and ashore, which contributed the indispensable factor to the final victory. Although all our people became engaged in this great conflict, some in furnishing money, some in producing food and clothing, some in making munitions, some in administering our Government, the place of honor will always be accorded to the men and the women who wore the uniform of our country—the living and the dead.

When the great conflict finally broke upon us we were unprepared to meet its military responsibilities. What Navy we possessed at that time, as is always the case with our Navy, was ready. Admiral Sims at once carried new courage and new energy to the contest on the sea. So complete was the defense of our transports that the loss by enemy attack in sending our land forces to Europe was surprisingly small.

As we study the record of our Army in France, we become more and more impressed by three outstanding features. The unity of the American forces and the integrity of the American command were always preserved. They were trained with a thoroughness becoming the tradition of McClellan, they were fought with a tenacity and skill worthy of the memory of Grant. And finally, they were undefeated. For these outstanding accomplishments, which were the chief sources of the glory of our arms, we are indebted to the genius of General Pershing.

It is unnecessary to recount with any detail our experience in the war. It was a new revelation not only of the strength but of the unity of our people. No country ever exhibited a more magnificent spirit or demonstrated a higher degree of patriotic devotion. The great organizing ability of our industrial leaders, the unexpected strength of our financial resources, the dedication of our entire man power under the universal service law, the farm and the factory, the railroad and the bank, 4,000,000 men under arms and 6,000,000 men in reserve, all became one mighty engine for the prosecution of the war. All together it was the greatest power that any nation on earth had ever assembled.

When it was all over, in spite of the great strain, we were the only country that had much reserve power left. Our foodstuffs were necessary to supply urgent needs; our money was required to save from financial disaster. Our resources delivered Europe from starvation and ruin.

In the final treaty of peace not only was the map of Europe remade but the enormous colonial possessions of Germany were divided up among certain allied nations. Such private property of her nationals as they held was applied to the claim for reparations. We neither sought nor took any of the former German possessions. We have provided by law for returning the private property of her nationals.

Yet our own outlay had been and was to continue to be a perfectly enormous sum. It is sometimes represented that this country made a profit out of the war. Nothing could be farther from the truth. Up to the present time our own net war costs, after allowing for our foreign-debt expectations, are about \$36,500,000,000. To retire the balance of our public debt will require about \$7,000,000,000 in interest. Our Veterans' Bureau and allied expenses are already running at over \$500,000,000 a year in meeting the solemn duty to the disabled and dependent. With what has been paid out and what is already apparent, it is probable that our final cost will run well toward \$100,000,000,000, or half the entire wealth of the country when we entered the conflict.

Viewed from its economic results, war is the most destructive agency that ever afflicts the earth. Yet it is the dead here and abroad who are gone forever. While our own losses were thus very large, the losses of others required a somewhat greater proportionate outlay, but they are to be reduced by territorial acquisitions and by reparations. While we shall receive some further credits on the accounts I have stated as our costs, our outlay will be much greater than that of any other country. Whatever may be thought or said of us, we know, and every informed person should know, that we reaped no selfish benefit from the war. No citizen of the United States needs to make any apology to anybody anywhere for not having done our duty in defense of the cause of world liberty.

Such benefits as came to our country from our war experience were not represented by material values but by spiritual values. The whole standard of our existence was raised; the conscience and the faith of the Nation were quickened with new life. The people awoke to the drumbeats of a new destiny.

In common with most of the great powers we are paying the cost of that terrible tragedy. On the whole, the war has made possible a great advance in self-government in Europe, yet in some quarters society was so near disintegration that it submitted to new forms of absolutism to prevent anarchy. The whole essence of war is destruction. It is the negation and the antithesis of human progress. No good thing ever came out of war that could not better have been secured by reason and conscience.

Every dictate of humanity constantly cries aloud that we do not want any more war. We ought to take every precaution and make every honorable sacrifice, however great, to prevent it. Still, the first law of progress requires the world to face facts, and it is equally plain that reason and conscience are as yet by no means supreme in human affairs. The inherited instinct of selfishness is very far from being eliminated; the forces of evil are exceedingly powerful.

The eternal questions before the nations are how to prevent war and how to defend themselves if it comes. There are those who see no answer, except military preparation. But this remedy has never proved sufficient. We do not know of any nation which has ever been able to provide arms enough so as always to be at peace. Fifteen years ago the most thoroughly equipped people of Europe were Germany and France. We saw what happened. While Rome maintained a general peace for many generations, it was not without a running conflict on the borders which finally engulfed the empire. But there is a wide distinction between absolute prevention and frequent recurrence, and peace is of little value if it is constantly accompanied by the threatened or the actual violation of national rights.

If the European countries had neglected their defenses, it is probable that war would have come much sooner. All human experience seems to demonstrate that a country which makes reasonable preparation for defense is less likely to be subject to a hostile attack and less likely to suffer a violation of its rights which might lead to war. This is the prevailing attitude of the United States and one which I believe should constantly determine its actions. To be ready for defense is not to be guilty of aggression. We can have military preparation without assuming a military spirit. It is our duty to ourselves and to the cause of civilization, to the preservation of domestic tranquility, to our orderly and lawful relations with foreign people, to maintain an adequate Army and Navy.

We do not need a large land force. The present size of our Regular Army is entirely adequate, but it should continue to be supplemented by a National Guard and reserves, and especially with the equipment and organization in our industries for furnishing supplies. When we turn to the sea the situation is different. We have not only a long coast line, distant outlying possessions, a foreign commerce unsurpassed in importance, and foreign investments unsurpassed in amount, the number of our people and value of our treasure to be protected, but we are also bound by international treaty to defend the Panama Canal. Having few fueling stations, we require ships of large tonnage, and having scarcely any merchant vessels capable of mounting 5 or 6 inch guns, it is obvious that, based on needs, we are entitled to a larger number of warships than a nation having these advantages.

Important, however, as we have believed adequate national defense to be for preserving order and peace in the world, we have not considered it to be the only element. We have most urgently and to some degree successfully advocated the principle of the limitation of armaments. We think this should apply both to land and sea forces, but as the limitation of armies is very largely a European question we have wished the countries most interested to take the lead in deciding this among themselves. For the purpose of naval limitation we called the Washington conference and secured an agreement as to capital ships and airplane carriers, and also as to the maximum unit tonnage and maximum caliber of guns of cruisers. But the number of cruisers, lesser craft, and submarines have no limit.

It no doubt has some significance that foreign governments made agreements limiting that class of combat vessels in which we were superior, but refused limitation in the class in which they were superior. We made altogether the heaviest sacrifice in scrapping work which was already in existence. That should forever remain not only a satisfaction

to ourselves but a demonstration to others of our good faith in advocating the principle of limitations. At that time we had 23 cruisers and 10 more nearly completed. One of these has since been lost, and 22 are nearly obsolete. To replace these, we have started building 8. The British have since begun and completed 7, are building 8, and have 5 more authorized. When their present legislation is carried out they have 68 cruisers. When ours is carried out, we would have 40. It is obvious that, eliminating all competition, world standards of defense require us to have more cruisers.

This was the situation when I requested another conference, which the British and Japanese attended, but to which Italy and France did not come. The United States there proposed a limitation of cruiser tonnage of 250,000 to 300,000 tons. As near as we could figure out their proposal, the British asked for from 425,000 to 600,000 tons. As it appeared to us that to agree to so large a tonnage constituted not a limitation, but an extension of war fleets, no agreement was made.

Since that time no progress seems to have been made. In fact, the movements have been discouraging. During last summer France and England made a tentative offer which would limit the kind of cruisers and submarines adapted to the use of the United States, but left without limit the kind adapted to their use. The United States, of course, refused to accept this offer. Had we not done so, the French Army and the English Navy would be so near unlimited that the principle of limitations would be virtually abandoned. The nations have already accomplished much in the way of limitations and we hope may accomplish more when the preliminary conference called by the League of Nations is reconvened.

Meantime, the United States and other nations have been successfully engaged in undertaking to establish additional safeguards and securities to the peace of the world by another method. Throughout all history war has been occurring until it has come to be recognized by custom and practice as having a certain legal standing. It has been regarded as the last resort, and has too frequently been the first. When it was proposed that this traditional attitude should be modified between the United States and France, we replied that it should be modified among all nations. As a result, representatives of 15 powers have met in Paris and signed a treaty which condemns recourse to war, renounces it as a national policy, and pledges themselves not to seek to resolve their differences except by peaceful action.

While this leaves the questions of national defense and limitation of armaments practically where they were, as the negative supports of peace, it discards all threat of force and approaches the subject on its positive side. For the first time in the world the leading powers bind themselves to adjust disputes without recourse to force. While recognizing to the fullest extent the duty of self-defense, and not undertaking, as no human ingenuity could undertake, an absolute guaranty against war, it is the most complete and will be the most effective instrument for peace that was ever devised.

So long as promises can be broken and treaties can be violated, we can have no positive assurances, yet everyone knows they are additional safeguards. We can only say that this is the best that mortal man can do. It is beside the mark to argue that we should not put faith in it. The whole scheme of human society, the whole progress of civilization, requires that we should have faith in men and in nations. There is no other positive power on which we could rely. All the values that have ever been created, all the progress that has ever been made, declare that our faith is justified.

For the cause of peace, the United States is adopting the only practical principles that have ever been proposed, of preparation, limitation, and renunciation. The progress that the world has made in this direction in the last 10 years surpasses all the progress ever before made.

Recent developments have brought to us not only a new economic but a new political relationship to the rest of the world. We have been constantly debating what our attitude ought to be toward the European nations. Much of our position is already revealed by the record. It can truthfully be characterized as one of patience, consideration, restraint, and assistance. We have accepted settlement of obligations, not in accordance with what was due but in accordance with the merciful principle of what our debtors could pay. We have given of our counsel when asked and of our resources for constructive purposes, but we have carefully refrained from all intervention which was unsought or which we believed would be ineffective, and we have not wished to contribute to the support of armaments. Whatever assistance we may have given to finishing the war we feel free from any responsibility for beginning it. We do not wish to finance preparations for a future war.

We have heard an impressive amount of discussion concerning our duty to Europe. Our own people have supplied considerable quantities of it. Europe itself has expressed very definite ideas on this subject. We do have such duties. We have acknowledged them and tried to meet them. They are not all on one side, however. They are mutual. We have sometimes been reproached for lecturing Europe, but probably ours are not the only people who sometimes engage in gratuitous criticism and advice. We have also been charged with pursuing a

policy of isolation. We are not the only people either who desire to give their attention to their own affairs. It is quite evident that both of these claims can not be true. I think no informed person at home or abroad would blame us for not intervening in affairs which are peculiarly the concern of others to adjust or when we are asked for help for stating clearly the terms on which we are willing to respond.

Immediately following the war we went to the rescue of friend and foe alike in Europe on the grounds of humanity. Later our experts joined with their experts in making a temporary adjustment of German reparations and securing the evacuation of the Ruhr. Our people lent \$110,000,000 to Germany to put that plan into immediate effect. Since 1924 Germany has paid on reparations about \$1,300,000,000, and our people have lent to national, state, and municipal governments and to corporations in Germany a little over \$1,100,000,000. It could not be claimed that this money is the entire source from which reparations have been directly paid, but it must have been a large factor in rendering Germany able to pay. We also lent large sums to the governments and corporations in other countries to aid in their financial rehabilitation.

I have several times stated that such ought to be our policy. But there is little reason for sending capital abroad while rates for money in London and Paris are at 4 or 5 per cent, while ours are much higher. England is placing very considerable loans abroad; France has had large credits abroad, some of which have been called home.

Both are making very large outlays for military purposes. Europe on the whole has arrived at a state of financial stability and prosperity where it can not be said we are called on to help or act much beyond a strict business basis. The needs of our own people require that any further advances by us must have most careful consideration.

For the United States not to wish Europe to prosper would be not only a selfish, but an entirely unenlightened view. We want the investment of life and money which we have made there to be to their benefit. We should like to have our Government debts all settled, although it is probable that we could better afford to lose them than our debtors could afford not to pay them. Divergent standards of living among nations involve many difficult problems. We intend to preserve our high standards of living and we should like to see all other countries on the same level. With a whole-hearted acceptance of republican institutions, with the opening of opportunity to individual initiative, they are certain to make much progress in that direction.

It is always plain that Europe and the United States are lacking in mutual understanding. We are prone to think they can do as we can do. We are not interested in their age-old animosities, we have not suffered from centuries of violent hostilities. We do not see how difficult it is for them to displace distrust in each other with faith in each other. On the other hand, they appear to think that we are going to do exactly what they would do if they had our chance. If they would give a little more attention to our history and judge us a little more closely by our own record, and especially find out in what directions we believe our real interests to lie, much which they now appear to find obscure would be quite apparent.

We want peace not only for the same reason that every other nation wants it, because we believe it to be right, but because war would interfere with our progress. Our interests all over the earth are such that a conflict anywhere would be enormously to our disadvantage. If we had not been in the World War, in spite of some profit we made in exports, whichever side had won, in the end our losses would have been very great. We are against aggression and imperialism not only because we believe in local self-government but because we do not want more territory inhabited by foreign people. Our exclusion of immigration should make that plain. Our outlying possessions, with the exception of the Panama Canal Zone, are not a help to us, but a hindrance. We hold them, not as a profit but as a duty. We want limitation of armaments for the welfare of humanity. We are not merely seeking our own advantage in this, as we do not need it, or attempting to avoid expense, as we can bear it better than anyone else.

If we could secure a more complete reciprocity in good will, the final liquidation of the balance of our foreign debts, and such further limitation of armaments as would be commensurate with the treaty renouncing war, our confidence in the effectiveness of any additional efforts on our part to assist in the further progress of Europe would be greatly increased.

As we contemplate the past 10 years, there is every reason to be encouraged. It has been a period in which human freedom has been greatly extended, in which the right of self-government has come to be more widely recognized. Strong foundations have been laid for the support of these principles. We should by no means be discouraged because practice lags behind principle. We make progress slowly and over a course which can tolerate no open spaces. It is a long distance from a world that walks by force to a world that walks by faith. The United States has been so placed that it could advance with little interruption along the road of freedom and faith.

It is befitting that we should pursue our course without exultation, with due humility, and with due gratitude for the important contributions of the more ancient nations which have helped to make possible

our present progress and our future hope. The gravest responsibilities that can come to a people in this world have come to us. We must not fail to meet them in accordance with the requirements of conscience and righteousness.

Mr. McKELLAR obtained the floor.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New York?

Mr. McKELLAR. I yield.

Mr. COPELAND. I would like to ask a question of the Senator from Pennsylvania.

Mr. McKELLAR. I yield for that purpose.

Mr. COPELAND. A little while ago I spoke about the expansion of naval aviation in Japan, and just now, in reading Article III, page 8, it seems to me to be an inconsistency. I would like to ask the Senator about that, because I want to give some thought to this subject.

I refer to page 8, second column, the second paragraph, which reads:

2. The fitting of a landing-on or flying-off platform or deck on a capital ship, cruiser, or destroyer, provided such vessel was not designed or adapted exclusively as an aircraft carrier, shall not cause any vessel so fitted to be charged against or classified in the category of aircraft carriers.

The next paragraph provides:

3. No capital ship in existence on the 1st of April, 1930, shall be fitted with a landing-on platform or deck.

There seems to be a permission in the second paragraph for the fitting of a landing-on or flying-off platform or deck on a capital ship, while in the third paragraph it is provided:

No capital ship in existence on the 1st of April, 1930, shall be fitted with a landing-on platform or deck.

Mr. REED. That is correct. That means that no battleship or battle cruiser owned by Great Britain or the United States or Japan can have a landing-on deck fitted to it, but when we come to make replacements after 1936 that can be done.

Mr. COPELAND. What is the explanation, then, of the second paragraph?

Mr. REED. The second paragraph allows new cruisers to have landing-on decks. In another place in the treaty there is a limitation to 25 per cent of the cruisers of any nation.

Mr. COPELAND. But let me call the attention of the Senator to the language:

The fitting of a landing-on or flying-off platform or deck on a capital ship, cruiser, or destroyer, provided such vessel was not designed or adapted exclusively as an aircraft carrier—

And so forth.

It would seem to me, according to the wording, that any ship of that type might now be fitted at any time with a landing-on platform and it not be charged against that category.

Mr. REED. That would be true if it were not for paragraph 3, which prevents the placing of such decks on capital ships now in existence. France and Italy each have a small amount of unused capital-ship tonnage. They could put landing-on or flying-off decks on those ships if they wished.

Mr. COPELAND. Does not the Senator think that introduces a very large measure of competition?

Mr. REED. No; because those ships will be charged against the cruiser category.

Mr. COPELAND. Yes; but they would perform a double function.

Mr. REED. Surely.

Mr. COPELAND. The landing-on platform that is used as an aircraft carrier might become a primary function and yet under the wording it would still be charged against the cruiser category.

Mr. REED. If it was its primary function, it would not be so charged. If its primary function is that of a cruiser, it would be charged to the cruiser category.

Mr. COPELAND. And yet by the addition of the platform that function as an aircraft device might become in reality the chief function of the vessel.

Mr. REED. If it was in reality its chief function, then it would be charged against aircraft carriers.

Mr. COPELAND. No; it does not say that. It says that when it is so fitted it shall not cause any vessel so fitted to be charged against or classified in the category of aircraft carriers. It must be plain from the language that no matter if that carrier function became the primary one, it would still be charged simply against the cruiser category.

Mr. REED. That is right unless it was exclusively an aircraft carrier.

Mr. COPELAND. There is then the double function, and in that way there is introduced a very large measure of competition, an expensive element which did not exist before.

Mr. REED. But the Senator must see that that really represents a concession to us by the other countries, because we have more cruiser tonnage to build which we can design in this way than has any other country. We are the greatest beneficiary by that provision.

Mr. COPELAND. But does it not seem strange to the Senator that now we get the information, which I read in a dispatch to-day from the Scripps-Howard people, that the Japanese Government has already signified its intention of very largely increasing its aircraft to make up for what it feels to be its deficiency because of the operation of the treaty?

Mr. REED. Oh, yes. They have a right under the Washington treaty to 81,000 tons of airplane carriers. They have never built that tonnage. They have an unused margin there which undoubtedly they will go ahead now and fill out, just as we should do with our unused margin.

Mr. COPELAND. They are not likely to do that, as I see it, because if they can have the double function the incentive will be to make aircraft carriers out of cruisers and other ships so they will not have them charged against that category.

Mr. REED. They have already built all the 8-inch-gun cruisers which they are allowed to have. This treaty stops them where they are. They have a very small amount of 6-inch-gun cruisers to build. They are not in as favorable a position as we are to take advantage of this paragraph.

Mr. COPELAND. I thank the Senator for the information.

Mr. McKELLAR. Mr. President, how fitting it is that we should be here at night in an effort to ratify this treaty. It is very appropriate that it should be ratified at night. The only mistake that I think Senators on the other side have made was in not bringing in their cloture resolution. What a wonderful thing it would be to ratify this treaty under a cloture resolution and also at night—this secret treaty, this treaty which was conceived in secrecy and perhaps at night over in London, or perhaps it was only so foggy over there that our delegates did not know whether it was nighttime or daytime. But it was conceived in secret and it has been kept in secret.

I was interested in the questions which the Senator from New York [Mr. COPELAND] just asked the Senator from Pennsylvania [Mr. REED] about certain provisions of the treaty. As I recall it, the Senator from New York said: "Does not this provision provide so-and-so?" "Yes." "Does not that provision provide so-and-so?" "Yes; but there is still another provision somewhere else that neutralizes that." So it is with the whole treaty. There is no one who can explain it. There is no one who understands what it means. No one has explained it, and it never will be explained until after we have signed it. After it is found out that it has been actually signed by the United States I have no doubt that Great Britain will then explain it to us, just like she did the 1922 treaty, six months after the treaty was signed, when we found out that 13 of our 8-inch-gun ships could not shoot as far as their 22 ships.

I think it is a fine thing to attempt to ratify the treaty at night. There is another suggestion I would make. All of the older Senators should be about seven-eighths asleep before they vote for it. They have never examined into it.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. McKELLAR. Certainly.

Mr. GLENN. If the Senator from Tennessee continues a few moments, I think we will all be in that condition.

Mr. McKELLAR. I know the Senator from Illinois will be. So far as I have been able to see, the Senator has been about half asleep ever since he has been in the Senate. He has tried to wake up two or three times, but he has signally failed. He tried to get in the limelight several times and signally failed. I remember when I believe he was the only advocate the President had on the floor of the Senate—or at least he thought he was. If the Senator desires to go to sleep, he will find it very difficult if he listens to what I have to say.

I was amused a while ago at another suggestion which was made about who was picking and choosing our 6-inch guns. The United States is not picking and choosing them. The United States naval authorities are not picking and choosing them. Who is picking and choosing them? Great Britain is picking and choosing our 6-inch guns. Our experts say they are not the kind we need, but Great Britain comes over here and tells us, "You must take the 6-inch gun which we prescribe for you." It reminds me of an incident that occurred down in Memphis, Tenn., in my younger days.

There was an old gentleman there by the name of Jones. I do not know whether he was related to the Senator from Washington [Mr. JONES], but I think not. He had two daughters. One of them was long and lean and lank and

homely and unattractive. She had no winning ways. She had no graces or accomplishments particularly. Her name was Mary. Then the old gentleman had another daughter who was plump and pretty, with the most beautiful hair and eyes that anyone ever saw, with the most kissable looking mouth that most of us ever looked upon. She had all the graces and charms and attractions. Her name was Ann. There was a young fellow who had been calling at the house for quite a while. Sometimes he would take out Mary and sometimes he would take out Ann. Sometimes he would take them both. Sometimes he would take the whole family, because that young man meant business. After that had been going on for quite a while the young man went over to Mr. Jones's house one night and called him outside and said, "Mr. Jones, I am very much in love with your daughter and she is in love with me. We want to get married. I have come over to ask your consent and approval."

The old man said, "God bless you, Jim. I always did think there was the making of a man in you. I always did like you. I am happy to have you in the family. Take Mary and be happy." But Jim said, "Oh no, Mr. Jones, it is not Mary that I want. I want Ann." Mr. Jones said, "Why, you infernal young scoundrel, do you mean to tell me that you have the effrontery to come right here into my own house picking and choosing among my girls? Get out of here!" [Laughter.]

Do not Senators think it is a good deal of effrontery for Great Britain to come here in our house and say, "Oh, it may be that I might have to fight with you sometime. I want to pick and choose the guns you shall use." We ought to say to her, "Get out of here; you can not pick and choose guns for the United States."

O Mr. President, again I say it is fitting that this treaty with all its infamies, with all its iniquities, should be ratified by this body at night. Senators do not know anything about it. Your President has the information, but he will not give it to you. You asked him for it by a unanimous vote and he turned you down. You are going right along, nevertheless, to ratify this treaty without knowing what is in it. The Senator from Pennsylvania [Mr. REED] and the Senator from Arkansas [Mr. ROBINSON] know what is in it, I suppose, but none of the rest of us do. They had access to the papers, but no other Senator will rise in his place and say that he knows anything about the facts relating to the treaty except what is in this remarkable document before us, and yet without the courage to demand your rights you yield. Senators yield to a situation like that and are letting the administration just guide them through the woods blinded.

I do not know how Senators feel about it. I suppose they have agreed to do it and are going to do it, but, Senators, we are establishing a precedent that will come back to plague us. There will be a time when we will wish that we had not done it, if the President has his way with this treaty binding the United States not to build the kind of ships that we should build, according to our experts, until 1936.

Mr. President, I know those of us who are opposing the ratification of this treaty are going to be defeated. I know that those of us who have stood here fighting for America's rights, fighting for the country which we all love or ought to love, fighting for the country that we all defend or ought to defend, though, as I view the situation, a large majority of the Senate are not doing it—are doomed to defeat; but I want to say that so long as I am a Member of this body, so long as there is breath in my body, I expect to fight for my country before I fight for any other country on earth.

It may be that Great Britain is all right; I have nothing but kindly feelings for her; I have nothing but respect for her; but how can anyone, when a conflict arises between the rights of America and the rights of other nations, take the side of the other nation? Senators who favor the ratification of the treaty say they are not doing that. Oh, yes, they are, and they know they are doing it. They know they are taking the word of foreign naval experts about the 6-inch guns, and rejecting the opinion of our own naval experts in accepting those guns. They are willing at the behest of Great Britain and at the behest of Japan, to give those two nations a great advantage over our country. I hope that nothing serious will happen in the next six years, but I think the Congress of the United States ought to see to it that no other treaty like this shall ever again be negotiated.

What are the constituents of Senators who favor the ratification of this treaty going to say when they go home and have to admit that they were willing to limit America in the building of her Navy but were not willing to limit Great Britain in the building of her navy, when they admit, as they will have to admit, that to Japan was given the absolute control of the eastern seas?

When we were boys studying Latin we learned that "all Gaul was divided into three parts." This treaty divides the whole world into three parts. It gives about four-fifths of it to Great Britain, it gives a very small strip of it to America, and the remainder of the eastern seas and of the eastern countries is put under the control of Japan.

Those who live out in the West—for instance, my friend the junior Senator from California [Mr. SHORTRIDGE], who has had so much to say in this body about Japanese coming into California—may yet have to call on "Admiral" Stimson to defend them with his 6-inch guns. [Laughter in the galleries.] Japan may use a different and larger kind of gun.

I know the junior Senator from California can not get up now and reply because he has been told by his leaders not to interrupt. Ordinarily his knowledge of affairs would cause him to rise and, in his gracious, delightful manner, say something when California is referred to; but not so to-night. It is desired to ratify this treaty between suns; to ratify it while it is dark. Why, even the moon is not shining to-night. [Laughter in the galleries.]

THE PRESIDING OFFICER. The Senator from Tennessee will suspend. The galleries must respect the rules of the Senate, which do not permit demonstrations either of approval or disapproval.

Mr. McKELLAR. O Mr. President, I ask the Chair not to be too hard on the galleries. I will say nothing more of that nature, however, for I do not want to be admonished.

Mr. SHORTRIDGE. Mr. President, will the Senator from Tennessee permit a question?

THE PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from California?

Mr. McKELLAR. Certainly.

Mr. SHORTRIDGE. If we who live on the Pacific coast get into trouble, will the Senator from Tennessee come out and help us?

Mr. McKELLAR. Mr. President, whenever an inch of territory of the United States is even threatened, the Senator from Tennessee and all other Tennesseans will be found standing foursquare behind the people of that territory, even against King George, even at the risk of losing some dinners over there.

Mr. President, on yesterday and the day before I undertook to discuss the treaty, but I did not finish that discussion. The Senator from Pennsylvania [Mr. REED], who now walks out of the Chamber, made a statement for the public press attempting, without being able to do so, to justify this remarkable treaty, which he and others have brought back. I propose for a few moments to respond to some of the contentions advanced by him.

He said, among other things, that the treaty would constitute a saving of \$400,000,000 to the American people, in that there are to be no battleship replacements until 1936.

Mr. President, that is not true, because two of the nations did not expect to replace their battleships, and one of them would not consent to America replacing three of hers with two of the *Nelson* and *Rodney* type. The other two nations had made no preparations for replacement, and neither had we; but it will be seen that Great Britain derives a tremendous advantage by this clause of the treaty and that America is deprived of the right to build two vessels of the *Rodney* type, which could be built probably at less cost than would be involved in modernizing the old battleships we now have.

I have heretofore called attention to the fact that Great Britain has graciously permitted us to elevate the guns on some 13 old battleships, as to which she "hornswoggled" us, if I may use so ugly a word, during the last conference. It will cost \$80,000,000 to elevate the guns on those ships, and after the work shall have been completed who knows whether we will have battleships able to fight any of the up-to-date first-class dreadnaughts of Great Britain? I doubt it, and our naval experts doubt it. Yet we could build two vessels of the *Rodney* and *Nelson* type for the same money that we will have to expend on these old hulks of ours.

Mr. SHIPSTEAD. Mr. President—

THE PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Minnesota?

Mr. McKELLAR. I yield.

Mr. SHIPSTEAD. The Senator remembers, does he not, that Commander Kenworthy, a member of the British Parliament and an officer of the British Navy, stated on the floor of Parliament that he conceded us the right to elevate the guns on our old ships in order to give us "theoretical" parity?

Mr. McKELLAR. "Theoretical parity" were the words he used, and that is the only kind of parity that our commissioners sought either in the 1922 conference or in the London conference. Our commissioners never asked for real parity; all they ever asked for was theoretical parity, and it is perfectly

obvious as matters now stand that we have not parity in any fair sense of the word. The only theory upon which the gentlemen who have brought the treaty here can proceed is that, if we spent \$1,070,000,000 we can approach parity. That is the best that any of them had said for it; that is the best the President has said for it. Who under the heavens wants to spend \$1,070,000,000 for parity? Yet that is what we get by this treaty. Commander Kenworthy said that the British assumed that America would not be so foolish as to build the kind of ships it would have to build in order to secure this approach to parity.

Mr. COPELAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New York?

Mr. McKELLAR. Yes; I yield.

Mr. COPELAND. Suppose we spend \$1,070,000,000 and achieve parity; and then suppose the next week Great Britain declares her right under the escalator clause to build three or four battleships, or other vessels, then what would we do about it?

Mr. McKELLAR. My principal objection to this treaty is that, while we reduce our tonnage, while we are put under a limitation as to the kind and character of ships we may build, Great Britain is permitted to go ahead with her building program. That is why this treaty is utterly subversive of America's rights.

Mr. COPELAND. Mr. President, if the Senator will bear with me further, I said on a previous occasion that the escalator clause is the dagger in the heart of the treaty.

Mr. McKELLAR. It is one of the daggers.

Mr. COPELAND. It absolutely destroys parity.

Mr. TRAMMELL. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Florida?

Mr. McKELLAR. I yield.

Mr. TRAMMELL. If Great Britain should exercise the privilege granted under the escalator clause, would not that change the conditions, and, so far as America is concerned, would she not then have the right to increase her Navy proportionately? As I read the treaty that is what it says.

Mr. McKELLAR. It will take all six years of the term of the treaty for us to build up to the point we are authorized to build; but suppose in the meantime Great Britain should build 10 battleships—

Mr. TRAMMELL. We have not parity now, but we will come nearer approaching parity at the end of the period than we do to-day.

Mr. McKELLAR. Oh, no.

Mr. TRAMMELL. All the data in connection with the treaty indicates that to be so.

Mr. McKELLAR. We will be a billion and seventy million dollars away from parity on their own representations about the treaty, because it is conceded that, in order for us to secure an approach to parity, it will cost the American taxpayers \$1,070,000,000.

Mr. TRAMMELL. Does the Senator take the position that we have parity at the present time?

Mr. McKELLAR. No; and it may be that we will never want parity; but I think America should have the right to determine for herself how many ships she will build, what size ships she will build, what caliber of guns shall be put on those ships, and every other detail in connection with her Navy. The Constitution of the United States, which we all seem to have forgotten, says that the Congress shall have power "to provide and maintain a navy"; does not say that the Congress shall do so if Great Britain is willing that it shall be done, or if Japan is willing that it shall be done, or if any other nation in the world is willing that it shall be done; but the Constitution directs the Congress to perform that duty. So far as I am concerned, I think it is subversive of every principle of the American Government that the United States should be put in the position of having to ask Great Britain if our Navy can not make the armor a little thicker on its old ships, if it can not elevate the muzzles of the guns on its old ships, and having to leave it to Great Britain as to whether or not it may do so.

Mr. TRAMMELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Florida?

Mr. McKELLAR. I shall be delighted to yield.

Mr. TRAMMELL. Just one other question. As I understand the Senator's position, then, he is against any kind of an agreement for the limitation of armaments.

Mr. McKELLAR. Oh, no!

Mr. TRAMMELL. The Senator says he is not in favor of having these other nations say anything about it. I should

like to know how we can make an agreement unless the other party has some consideration.

Mr. McKELLAR. They ought to have exactly the same that we do. We ought to have an agreement that will provide for America having the same kind of a navy that Great Britain has. That is the only way in the world we can ever have parity.

Mr. TRAMMELL and Mr. COPELAND addressed the Chair. The PRESIDING OFFICER. Does the Senator from Tennessee yield; and to whom?

Mr. McKELLAR. I yield to both of the Senators. I will take them one at a time.

Mr. TRAMMELL. Mr. President, if the Senator will yield for one other question, I will ask him if he thinks any nation would allow us to dictate absolutely all of the terms of an agreement for the limitation of naval armament.

Mr. McKELLAR. Oh, no!

Mr. TRAMMELL. That is practically the Senator's position. Mr. McKELLAR. Oh, no, no, no! The Senator misunderstands me. I have not any such position as that.

I will take the next Senator now.

Mr. COPELAND. Mr. President, I think the Senator's answer to the Senator from Florida about what will happen if England invokes the escalator clause is not quite responsive. I assume that the Senator from Florida knows that if England should decide to build more ships under that clause we would have the privilege of building more ships, but they must be exactly the same kind of ships.

Mr. McKELLAR. Whether we need them or not.

Mr. TRAMMELL. Mr. President, may I ask another question?

The PRESIDING OFFICER. Does the Senator from Tennessee further yield to the Senator from Florida?

Mr. McKELLAR. Surely.

Mr. TRAMMELL. If we do not have an agreement, then the Senator's position is that we would still have the privilege of building?

Mr. McKELLAR. If there is no agreement with another country, of course we have the right to build.

Mr. TRAMMELL. If we have no agreement, then, of course, there is no restriction whatever.

Mr. COPELAND. That is true.

Mr. TRAMMELL. Then, if we have no agreement and there is no restriction, there will be absolutely no restriction on Great Britain or Japan for the next six years.

Mr. COPELAND. That is true.

Mr. TRAMMELL. There will be no restriction whatever on them, and they have been outrunning us in the race heretofore. Why could they not continue to outrun us in the race?

Mr. COPELAND. They probably will. That is the answer.

Mr. McKELLAR. Maybe so. I think they will. If we ratify this treaty, I know they will.

Mr. President, I want to speak for a moment about the \$400,000,000 saving that the Senator from Pennsylvania talks about. That saving reminds me of a story that I read about Mutt and Jeff. I think, not long ago.

Mutt went to the races, and Jeff remained behind. When Mutt came back, Jeff asked him how he got along at the races. Mutt said, "Fine! Fine! I made a thousand dollars." Jeff said, "You made a thousand dollars? Where is it?" "Oh, I made it all right." He said, "I intended to bet on Silver King. I intended to bet a thousand dollars on him, and I did not bet, and Silver King lost; so I just made that thousand dollars that I did not bet." [Laughter.]

That is the way this \$400,000,000 is made, according to the Senator from Pennsylvania. Further than that, as I said before, we have to spend \$80,000,000 on these old hulks under this agreement.

The next position of the Senator from Pennsylvania is that this treaty is advantageous to us because of England's agreement to reduce her cruisers from 70 to 50.

If any other man in the world than the Senator from Pennsylvania, who helped make this treaty, had made this statement, it would be laughable; and it is even laughable as it comes from him. Not only is there no agreement in this treaty providing for such a reduction, but I have been unable to find any agreement whereby Great Britain covenants to reduce her cruiser fleet from 70 to 50. There is no such agreement in this treaty. There may be a secret agreement, an implied agreement, but there is no such agreement as that in this treaty. She could not do it if she wanted to, Mr. President, for the reason that Great Britain has not 70 cruisers. She has 53 or 54, and that is all she has. So, instead of reducing her cruiser fleet from 70 to 50, she could not do any more than reduce it from 54 to 50; and I noticed the other day that she is going ahead to build 3 more cruisers anyway, without regard to the treaty.

The Senator from Pennsylvania himself says that Great Britain has only 54 cruisers. She never has had 70 cruisers. The records have been searched, and it has been found that she has only 54. It is perfectly plain that as she has not 70, she can not reduce them as the Senator from Pennsylvania states. She is simply following her 1922 example and is reducing blue prints.

You remember that when America sank 835,000 tons of battleships Great Britain sank a whole lot of blue prints—blue prints! And we and our commissioners accepted the sinking of blue prints when we sank over \$500,000,000 of the American people's money.

Of course, what the Senator from Pennsylvania means is that in 1927, at the Geneva conference, Great Britain wanted a limit of 70 ships fixed. She wanted that as her last limit, her lowest limit; that is all. She reduced what she wanted at Geneva from 70 to 50. So that contention falls to the ground. Besides, there is no limitation upon her cruisers, as is shown by the escalator clause which allows her to build as many as she wants to build.

I next come to the contention of the Senator from Pennsylvania that 6-inch guns are just as good as 8-inch guns.

How such an argument can be put forth it is difficult to understand. This position is against the opinion of practically the entire American Navy and naval experts, as well as the British Admiralty, and contrary to common sense. Our naval officers take the opposite position, with but four exceptions in the entire Navy, and three of those are holding office under appointment from President Hoover; and some of them have changed their minds. Admiral Pratt, for instance, who used to be a strong advocate of the 8-inch gun, after he got his appointment and after he found out the way the wind was blowing changed his mind and became an advocate of the 6-inch gun.

If 6-inch guns are just as good as 8-inch guns, why is it that Great Britain is doing everything within her power to stop America from building 8-inch guns and trying to force her by this pact to build 6-inch guns? It is ridiculous. It is absurdly ridiculous.

The truth of the matter is that if our naval officers should ever have to fight for their country again they will have to fight with the 6-inch guns that Admiral Hoover and Admiral Stimson and Admiral REED, who know nothing about the subject, practically, have prepared for them. That is a great injustice to our admirals; and the Navy are not permitted the kind of guns and the kind of ships that they think they should have.

Should America get into war, such a war must be fought by the officers of the American Navy. Admiral Hoover and Admiral Stimson and Admiral REED will not be a part of that Navy.

The superiority of these 8-inch guns is also attested by the British Admiralty and by the British Government, because the transcendent purpose of this treaty proposal is to stop America from building these superior guns and superior ships.

The next argument of my friend from Pennsylvania is that this treaty provides for the humanizing of submarine warfare. In effect, the treaty merely recites the existing law of nations on this subject; so it is seen that this is a valueless statement in the treaty. The use of submarines can not be regulated in any such way as is proposed, and the treaty does not propose to regulate it. It merely states the law in reference to it.

Mr. TRAMMELL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Florida?

Mr. McKELLAR. I yield to my friend.

Mr. TRAMMELL. I should like to ask the Senator a question about this 8-inch-gun proposition.

Mr. McKELLAR. I do not know much about it except what the admirals tell me.

Mr. TRAMMELL. We can get a little bearing on the subject if we know whether or not during this treaty period Great Britain suspends, either entirely or partially, its building of 8-inch guns. Does not Great Britain check up its building of 8-inch guns during this 6-year period; and does not the United States build more 8-inch guns under the treaty during that time than Great Britain? That is the way I read the treaty.

Mr. McKELLAR. The Senator reads the treaty wrongly. The facts are these, I will tell the Senator:

Great Britain to-day has 19 so-called 10,000-ton 8-inch-gun cruisers. She has 19 now. America has 2 completed. She has a number more—I believe 10—in course of completion. This treaty provides that by 1936 America can only have as many as 16. On the other hand, it provides that during all that period Great Britain will have 19 of those ships—a distinct superiority in the 10,000-ton 8-inch-gun class—and at the end of the treaty period Great Britain agrees to sink or destroy or dismantle 4 of these ships, so she will still have 15 to 16.

Mr. TRAMMELL. Great Britain's superiority at the present time is 19 to 2. At the end of that period it will be only 19 to 16. Has not America gained in the process during that six years?

Mr. McKELLAR. She has gained because we were building; but if we had the right to build as our naval officers have urged us to do for our proper defense we would have 23 at the end of that period.

Mr. TRAMMELL. How many does the Senator suppose Great Britain would have at the end of the six years?

Mr. McKELLAR. I do not know.

Mr. TRAMMELL. They can build as rapidly as we can. They would have 19 and 23 added, or a total of 42 to our 23.

Mr. McKELLAR. Maybe they would, but I doubt it. The Senator may be on the inside. The Senator may be one of the Senators who have gone to the Senator from Pennsylvania with hat in his hand and asked permission to look at the secret data over there, and he may have found out that that is what Great Britain proposes to do; but the rest of us are not given that knowledge and information, so we have to tell the truth and say that we do not know anything about it.

Mr. TRAMMELL. I have not gone to see the Senator from Pennsylvania at all.

Mr. McKELLAR. Then the Senator from Florida is as ignorant as I am about it.

Mr. TRAMMELL. I do not pay any attention to the secret data, but I do make some observations; and I have observed heretofore that Great Britain has been building these 8-inch cruisers more rapidly than we have, very much to my regret. They have done it, however; and that would give rise to the presumption that during the next six years, if we do not make any effort toward obtaining parity, or any agreement whereby we can try to catch up, they will probably keep on building cruisers more rapidly than we will, which is regrettable. I do not like at all to see that kind of procedure, but it happens to take place.

Mr. McKELLAR. Of course, the Senator is not properly informed about it. As a matter of fact, when Great Britain in 1922 stopped us from building battleships, while at that time we had a great superiority over Great Britain in battleships, she came over to that conference, and we sank 835,000 tons and accepted an inferiority. There was no limitation on cruisers at that time; and immediately upon stopping our battleship building she goes right back home and begins to build cruisers, and that is how she happened to get the cruisers.

Mr. TRAMMELL. Mr. President, did we not have the right to begin building cruisers, too?

Mr. McKELLAR. We did.

Mr. TRAMMELL. There was no restriction or limitation on the building of them by this country. If this country did not build them, it is the fault of the country or the Congress.

Mr. McKELLAR. Mr. President, here is the trouble: America was holding up high ideals. Mr. Hughes said he wanted to show the world that America was willing to sink her ships, and that he believed that Great Britain and the other nations would sink theirs. They did not do it. Afterwards America undertook to live up to the spirit of that agreement and did not build these other ships. Great Britain went right back and disregarded the spirit of the agreement and continued to build.

Mr. President, Senator REED's next argument is that the treaty ought to be good for America because certain politicians in Great Britain are opposed to it, notably Mr. Winston Churchill, and certain politicians in Japan are opposed to it. The truth is that these differences in opinion are purely political, and the further truth is that Mr. Churchill is really in favor of this treaty, because if he is not Mr. MacDonald's government would be upset in less than 24 hours and turned out. The only reason the MacDonald government has not been turned out before this is that all parties are holding it in hoping to get this wonderful treaty for Great Britain ratified before any change is made.

Senator REED then points out that the United States is catching up in cruiser construction. The facts are that Great Britain actually speeds up her cruiser construction, and Japan also, through a special provision in the treaty which applies to only two ships in America but which applies to 172,000 tons of shiping of Great Britain and 32,000 of Japan.

It is then argued that this treaty will do away with competition in naval armament. In the first place, it will do no such thing, and I do not believe that competition in naval armaments can ever be done away with unless we do away with competition in world trade. Naval armaments and world trade go hand in hand together. No nation has ever permanently built up a great world trade without building up a great naval armament to protect that trade wherever it goes. There is only one way to

protect our foreign trade, and that is by building a navy sufficient to protect it. Why has Great Britain built up and retained her foreign trade? It is because she has had a navy to protect it throughout the world. So, if America is to hold her present great foreign trade, she must have a navy able to protect that foreign trade. It is primarily an economic proposition. If we are to maintain our trade and commerce on the seas and with foreign nations, which is now quite as large as Great Britain's foreign trade, it follows as a necessary result that we must have a navy to protect it.

We have, as I suggested the other day, \$10,000,000,000 in foreign trade and commerce. Great Britain has the same amount. If it takes a navy to protect hers, how are we going to protect ours without a navy? We may do it with Admiral Stimson's little 6-inch guns, and then again, we may not.

What is the economic result of this agreement? At most, our Navy will be able to protect our trade along the east coast of North America to a line running north and south from Newfoundland to Venezuela. In other words, if the agreement goes through we can protect our trade in the north Atlantic and in the Gulf of Mexico and in the Caribbean Sea and the Pacific coast of America, and that is all we can do. We can not protect our trade in the Far East or in the Atlantic other than the small portion of it above referred to, and we can not protect it in the Indian Ocean. In other words, we are put at a tremendous disadvantage in protecting our world trade. Ladies and gentlemen, this is an economic question. As long as we have competition in commerce with Great Britain and Japan, as long as we are a great exporting nation—and we can not be a great nation without foreign commerce and trade—we must have a navy to protect that commerce and trade.

Senator REED claims, by inference, that America had been benefited by agreements as to destroyers and submarines. This is not borne out by the facts. Indeed, quite the reverse is true. The reason why we got parity in destroyers and submarines is perfectly plain. America now has 75,000 tons of submarines and Great Britain has only 45,000 tons, and naturally America has to sink 35,000 tons of submarines so as to be put on a parity with Great Britain's small number. As to destroyers, America now has 290,000 tons of destroyers. Great Britain has 191,000. Some of Great Britain's are no doubt old. So that Great Britain very readily agreed that she would sink 40,000 tons of old destroyers and America just as cheerfully agreed to sink 140,000 tons.

It is quite remarkable that in the 1922 agreement when America had the advantage in battleships she did all the sinking, and now when America has all the advantage in destroyers and submarines, again America does all the sinking without any return. And in that class of vessels where Great Britain had a great advantage, namely, cruisers—54 to 13—Great Britain does not scrap a ship. So, my friends, you see what a one-sided agreement this is. It reminds me of the old doggerel which, as a boy, I heard stated by negroes in the South:

A naught's a naught,
And a nigger's a nigger,
All for the white man
And none for the nigger.

In these two agreements Great Britain has gotten all and the United States plays the part of the negro. Thus it appears that, taking those two conferences together, the United States has sunk an overwhelming preponderance in three classes of ships, namely, battleships, destroyers, and submarines, while Great Britain has not budged an inch when it came to her great superiority over America in cruisers.

Having answered, as I believe, every contention made by Senator REED, I propose now to give a few reasons why this treaty ought not to be ratified.

The conference was called to bring about naval disarmament. Instead of bringing about disarmament, on the whole it brought about greatly increased naval armaments, America's part in the increase being estimated to cost over a billion dollars.

It was called for the purpose of bringing about parity "in each of the several categories" as between Great Britain and America. It does no such thing, but establishes a wider disparity than has existed heretofore. The only reduction of armaments in this treaty is a reduction in submarines and destroyers which America must make and a slight reduction in battleships, and under the terms of that reduction America is prohibited from building battleships of the *Rodney* and *Nelson* class, and thereby Great Britain is given the absolute superiority in battleships.

Instead of providing for parity "brimful and running over," as Mr. MacDonald declared, it provided for a great inequality in naval fleets.

It provides for enormous naval building by America, by Great Britain, and by Japan.

It will impose tax burdens on the American people of more than a billion dollars.

It prohibits America from building before 1936 more than fifteen 10,000-ton 8-inch cruisers, when her responsible naval experts, with one or two exceptions appointed by Mr. Hoover, all declare that those ships and guns are for the best defense of America.

It requires us to build ships of a kind and size that Great Britain is willing for us to build. It prohibits America from building the kind and size of ships and guns that America thinks is best for her own defense.

There is no way in the world for America, without naval bases, to obtain parity with Great Britain in cruiser strength except to have the larger ships and guns, and it is doubtful if it can be gotten that way.

It deprives America of the right and power to build a navy that will defend American possessions in the Far East, notably the Philippine Islands. All of our experts agree that we can not defend the Philippine Islands on the basis of this treaty.

Mr. President, I digress long enough to say this about the Philippine Islands: I am in favor of the freedom of the Philippine Islands, but as long as this Government holds sovereignty over them, I say that it is our duty to have a Navy to protect those islands. We have no moral right to do otherwise.

It prevents America from defending the greater part of our foreign trade on the high seas. Yet it leaves Great Britain the power to protect her commerce practically everywhere. It also gives to Great Britain the power to put economic pressure on America equivalent to business ruin.

Again, our sea-borne commerce is nearly \$15,000,000,000 in value every year, and yet we deprive ourselves by this treaty of the right and power to defend that enormous commerce wherever it may go.

Because the kind of ships that Great Britain will permit us to build under this treaty are not large enough and do not have guns large enough to protect our commerce. It does not provide that America shall have any additional naval stations anywhere in the world for the protection of her outlying possessions or the protection of her world-wide trade.

It does not refer to Great Britain's great superiority in naval stations, having them not only in every part of the world but even surrounding the coasts of America itself.

It does not provide for the freedom of the seas, and it denies to us the power to maintain that freedom for ourselves. And yet it leaves to Great Britain the power to assure that freedom of the seas for herself. It will be remembered that even during the World War, when we were fighting side by side with Great Britain, she not only claimed but exercised the right to overhaul American ships when she believed their cargoes were going even indirectly to her enemies, and to take those cargoes in to port and use them.

Again, the Constitution of the United States specifically grants to the two Houses of Congress the duty "to provide and maintain a navy." That authority is plenary in the Congress. Nowhere in that great instrument does it give the right to the Executive and the Senate to limit that power. And yet if this treaty goes through the Congress will be deprived of its right to build and maintain the kind of navy that would be to America's defense, and will be required to build the kind of navy that Great Britain and Japan want.

This treaty ought to be rejected, because the treaty was negotiated in secret. It will be remembered that I protested publicly against secret sessions of this conference. It is said that agreements of this kind can not be made unless there is secrecy. I deny this. I believe in the doctrine of open covenants openly arrived at. It is the only way to do it. What right have our representatives to go into a secret conference and determine American rights? If that conference had been held in the open and under the glare of pitiless publicity, no such one-sided agreement as this would ever have been brought back for the confirmation of the Senate.

Again this treaty ought not to be ratified, because the facts upon which it was negotiated have never been transmitted to the Senate of the United States, although, under our Constitution, it is coequal with the Executive negotiating and approving treaties. Yet in this case the President of the United States refuses to give to the Senate the facts upon which this treaty was negotiated. The Senate owes it to itself, it owes it to the American people to maintain its rights and have all the facts before it before it ratifies this treaty.

Again the President has no right under the Constitution to select two Senators of the United States and give them the

right to know what is going on and withhold the facts from the other 94 Members of the Senate.

Again this treaty should not be ratified because it gives Japan the absolute control of the East; and let me say right here that what this means to the American people is shown by the fact that our trade with the East amounts to more than \$2,000,000,000 a year.

There never was a greater crime committed against the American people and American trade and commerce than when under the agreement of 1922, 835,000 tons of battleships went to the bottom of the ocean. Mr. Hughes said:

It would also seem to be a vital part of a plan for the limitation of naval armament that there should be a naval holiday.

God save the mark! I have just shown the vast increase in naval appropriations. What did Great Britain do? Did she indulge in a naval holiday? Instead of doing that she went back home and began the building of the greatest cruiser fleet that she ever owned in all of her history. And so the propaganda for the naval treaty of 1922 was just so much poppycock. It did not reduce navies and it did not reduce appropriations.

And little Japan at all times has been building in the unrestricted class so that her cruiser fleet to-day is stronger than that of America. The American people are a strange people about some things. In the naval conference in 1922 we were so outtraded by the British that it was pitiful, and all Americans now agree to that view. Yet eight years after we serenely come along and allow the British to outtrade us again and euchre us again in exactly the same way. To euchre us once is not enough; we must be euchred twice.

Mr. President, the great underlying question in the ratification of this treaty is the economic question. I recall that in 1914 Great Britain had a larger and stronger navy than any other in the world. Our Navy was in no sense able to contest with her.

The day after war was declared Great Britain issued an order in council declaring cotton contraband. American cotton was thereafter swept from the seas, and the result was that this great cash-producing crop of America was rendered almost valueless. It went down from 14 cents to 4 cents in the twinkling of an eye and could not be sold even for 4 cents a pound. And I saw the cotton producers of the South reduced almost to penury because of that British order in council. The strength of that order was the British Navy. If America had then had a navy equal to Great Britain's, she would never have issued such an order, and American cotton would have found a market and the growers of cotton and those dependent upon cotton would not have been reduced to penury and want.

I remember also that during the first years of the Great War the British Government asserted and exercised the right to overhaul American vessels—searching them—and if they found cargoes that they believed were going directly or indirectly to their enemies, they took those cargoes and carried them to Great Britain. In other words, Great Britain was thought by many during the war to be as absolutely ruthless or more ruthless than Germany was. This ruthlessness was only made possible by superior naval strength, which strength I am not willing to perpetuate by agreement.

I made up my mind then that when the opportunity arose I was going to give America a navy in keeping with American rights and responsibilities, in keeping with the duty to defend the greatest commerce in all the world; and I want to say here and now that so long as I am a Representative in Congress I shall never vote for any measure or for the ratification of any treaty that will make the American Navy inferior to any other navy in the world.

DEATH OF REPRESENTATIVE FLORIAN LAMPERT

Mr. LA FOLLETTE. Mr. President, it becomes my sad duty to announce to the Senate the untimely death of the Hon. FLORIAN LAMPERT, late a Representative from the sixth district of Wisconsin. Mr. LAMPERT was elected to the Sixty-fifth and to each succeeding Congress, and there has served his constituents ably and faithfully.

Mr. President, I offer the following resolutions and ask for their adoption.

The PRESIDING OFFICER (Mr. FESS in the chair). The resolutions will be read.

The resolutions (S. Res. 327) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep regret of the announcement of the death of Hon. FLORIAN LAMPERT, late a Representative from the State of Wisconsin.

Resolved, That a committee of six Senators be appointed by the Presiding Officer of the Senate to attend the funeral of Mr. LAMPERT.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, when it shall reassemble, and transmit a copy thereof to the family of the deceased.

Under the second resolution the Presiding Officer appointed as the committee the junior Senator from Wisconsin [Mr. BLAINE], the senior Senator from Minnesota [Mr. SHIPSTEAD], the senior Senator from North Dakota [Mr. FRAZIER], the junior Senator from North Dakota [Mr. NYE], the junior Senator from South Dakota [Mr. McMASTER], and the senior Senator from Iowa [Mr. STECK].

RECESS

Mr. LA FOLLETTE. Mr. President, as a further mark of respect to the memory of the deceased Representative I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was unanimously agreed to; and the Senate (at 11 o'clock p. m.) took a recess until to-morrow, Saturday, July 19, 1930, at 11 o'clock a. m.

SENATE

SATURDAY, July 19, 1930

(Legislative day of Tuesday, July 8, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Gould	McMaster	Smoot
Bingham	Greene	McNary	Steiner
Black	Hale	Metcalf	Stephens
Blaine	Harris	Moses	Sullivan
Borah	Harrison	Norris	Swanson
Capper	Hastings	Oddie	Thomas, Idaho
Caraway	Hatfield	Overman	Thomas, Okla.
Copeland	Hebert	Patterson	Townsend
Couzens	Howell	Phipps	Trammell
Dale	Johnson	Pine	Vandenberg
Deneen	Jones	Pittman	Wagner
Fess	Kean	Reed	Walcott
Fletcher	Kendrick	Robinson, Ark.	Walsh, Mass.
George	Keyes	Robinson, Ind.	Watson
Gillett	La Follette	Robinson, Ky.	
Glenn	McColloch	Sheppard	
Goldsborough	McKellar	Shortridge	

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORBECK] is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is unavoidably detained from the Senate. I ask that this announcement stand for the day.

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASE] are detained from the Senate by illness in their families.

I also announce that the Senator from Arizona [Mr. ASHUEST], the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. CONNALLY], and the Senator from Kentucky [Mr. BARKLEY] are absent on official business, attending sessions of the Interparliamentary Union in London.

Mr. SWANSON. My colleague the junior Senator from Virginia [Mr. GLASS] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. FESS. I desire to announce that the junior Senator from North Dakota [Mr. NYE] is detained on business of the Senate, attending sessions of the special committee to investigate campaign expenditures. I will let this announcement stand for the day.

The VICE PRESIDENT. Sixty-five Senators have answered to their names. A quorum is present.

SPECULATION IN GRAIN

Mr. CARAWAY. Mr. President, I ask permission to include in the RECORD an editorial appearing in to-day's News relating to gambling in farm products.

The VICE PRESIDENT. Without objection, it is so ordered. The editorial is as follows:

[From the Washington Daily News, July 19, 1930]

SPECULATION IN GRAIN

The farmers and grain traders have been at loggerheads for years over the merits of the speculative futures trading system. Like many con-

trouversies touching economic policy, the battle has raged with comparatively few facts and many prejudices. Emotion often ran highest where the facts were most obscure.

Only within the last two years has the Federal Government been given legislative authority to examine the books of the large grain exchanges and their members. The recently published report on a 2-year study of speculative operations at Chicago, Kansas City, Minneapolis, and Duluth brings to the old controversy for the first time a considerable foundation of facts.

The study was conducted by the Grain Futures Administration of the Department of Agriculture. The investigators went behind the ticker tape, behind statistics. They subjected the entire speculative organization to microscopic examination. They concluded that futures prices are controlled in day-to-day fluctuations, not so much by conditions of supply and demand as by the technical position of the speculative market and the operations of large traders.

The case of "Speculator No. 7" at Chicago is cited as an example of how a single trader frequently influences price movements. On May 27, 1927, he purchased 4,200,000 bushels of July wheat. The market advanced 4½ cents a bushel that day. On August 29, this same trader sold 8,600,000 bushels of wheat. The market declined 3 cents—"principally on account of his heavy trading."

In the corn market this same trader on seven different occasions bought or sold more than 1,000,000 in a single day. On five of those days the price moved in the direction of his trading—although on different days he was on different sides of the market. Only twice in seven chances did the market move against his tremendous volume of trade.

In wheat his average was not quite so good. Out of 19 days when he traded a million bushels or more, the market moved in his direction 11 times, against him 7 times, and closed unchanged once.

One trader placed his commitments through 14 different brokerage houses. The volume of his trade was established only through examination of 14 sets of books.

Combined net trades of 1,000,000 bushels or more in a single day by the 13 largest Chicago speculators "tended more frequently to depress prices or check advances than they did to advance prices or check declines," the report says.

"The small speculators as a class are usually found trading in direct opposition to the large speculators as a class."

INVESTIGATION BY TARIFF COMMISSION—INFANTS' WEAR, ETC., REFINED SUGAR

Mr. COPELAND. Mr. President, I ask leave to modify Senate Resolution 325, which I submitted day before yesterday, directing an investigation by the Tariff Commission, by adding an additional resolution.

The VICE PRESIDENT. Without objection, the resolution will be so modified.

Mr. COPELAND's resolution (S. Res. 325), as modified, is as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Infants' wear classified under paragraph 1114 (d) of such act; matches, friction or lucifer, of all descriptions, etc., as classified under paragraph 1516 of such act.

Resolved further, That Senate Resolution 309, Seventy-first Congress, second session, agreed to June 30, 1930, is hereby amended by striking out the word "sugar" and inserting in lieu thereof "refined sugar."

SENATOR NORRIS, OF NEBRASKA

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have inserted in the Record an article from the August number of Plain Talk, entitled "NORRIS, of Nebraska."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NORRIS, OF NEBRASKA—ACKNOWLEDGED LEADER OF THE SENATE PROGRESSIVES, GEORGE W. NORRIS FACES A BITTER FIGHT FOR THE REPUBLICAN NOMINATION WHICH IS BEING FINANCED BY POWER-TRUST FUNDS AND CARRIED ON BY A HANDFUL OF FANATICS AND BIGOTS—WE BELIEVE THE PEOPLE OF NEBRASKA WILL DO THEMSELVES AND THE NATION A SERVICE BY REELECTING THIS DEVOTED CHAMPION OF POPULAR RIGHTS

(Plain Talk's editorial policy, as everyone knows, is wet, and GEORGE W. NORRIS is an uncompromising dry. Why, then, is Plain Talk supporting Senator NORRIS?)

We are supporting Senator NORRIS for exactly the same reason that Senator NORRIS supported Al Smith—because the issue transcends party lines or differences in policy.

GEORGE NORRIS is the leading liberal in the United States; the acknowledged leader of the Senate progressives. His defeat would be a direct blow at good government. In effect, it would serve notice on all faithful public servants that honesty and decency are not appreciated in a democracy.

Few men have served their country so faithfully and with such splendid integrity and intelligence as GEORGE W. NORRIS. He is the greatest single asset of that prairie commonwealth. The Senate of the United States needs GEORGE NORRIS, and we are confident that the plain people of Nebraska will have the good sense to return him to the post he has honored so long.—The Editor.)

(By a Washington correspondent¹)

Thirty-three United States Senators, a number of them really distinguished men, are up for reelection this year. In all but one instance interest in the outcome of these elections rests chiefly upon the personal fortune of the individual Senator. The exception is NORRIS, of Nebraska. In his case the question of whether he is or is not reelected far transcends the matter of the fate of the man GEORGE NORRIS. A greater issue than that is at stake; the supreme issue of whether vital and uncompromising liberalism shall continue to be represented and voiced in the highest reaches of our National Government or whether reaction, demagoguery, and fanaticism shall stifle its most potent and fearless champion.

Nebraska is thus afforded a unique opportunity of serving the entire Nation. Other States will have the opportunity this year of serving themselves and rewarding meritorious service by returning distinguished Senators to their seats in the august Chamber. To Nebraska alone is given the privilege of not only expressing its gratitude to a noble and devoted servant, but by doing so of rendering the Nation as a whole the most signal service. The reelection of GEORGE W. NORRIS to the United States Senate for another term of leadership and great usefulness there means that Nebraska gives to the Nation a desperately needed clarity and vision and idealism in the present-day economic and social problems.

That the great reactionary forces grasp fully the real issue at stake in the reelection of NORRIS is clearly enough indicated by the desperate efforts they are making to defeat him. They know with a far keener perception than the great mass of Nebraskans that NORRIS reelected means far more than merely the return of a distinguished individual statesman to the Senate. They understand thoroughly that NORRIS reelected means renewed hope and inspiration to the cause of popular government, a vital impetus to the movement of basic economic reform. To them the reelection of NORRIS would be the greatest body blow that could be sustained in this year's elections. And that is why Power Trust magnates, bigoted dry demagogues, and public and private corruptionists are pooling their resources and schemes in an effort to "get NORRIS."

Almost frenzied have been their efforts to get a suitable candidate. Repeated attempts were made to persuade, and when that failed to "draft," General Pershing. He shrewdly refused all temptations, sensing in his level-headed, calculating, self-interestedness the task that lay before him. After repeated failures, a choice was finally hit upon—a quiet, "safe," pliant State politician, a "good" man personally, with a record as a vote getter, and no disturbing stand on any matter of importance. Behind this sugar-coated front the great mercenary forces of wealth, politics, and morals are making their fight against NORRIS, who is standing literally alone, without money or organization, with only the loftiness of his cause and the purity of his character to appeal to the mass of voters.

So the issue is joined: NORRIS, the embodiment of the finest in American life, strong of body, indomitable of heart, incorruptible of vision, intellect, and fundamental ideals; and against him are arrayed all the power and might of predatory interests and all the little, mean, vicious bigoted packs doing their masters' bidding and hating NORRIS for his pristine independence, his inviolate integrity, his gleaming straight speaking.

The fight against him is as devious and crafty as the lurking forces that are making it. Indirectly is the assault launched. Nebraska needs and wants regular Republican representation, they are saying. Send a man who will "uphold the hands of the President," they urge. Uphold the hands of the President? As if all the highbinders, big and little, haven't been trying to do that since he took office a year and a half ago. It just can't be done. How can you, they demand querulously in private, uphold the hands of a President who runs like a scared child at the slightest intimation of a fight, and whose administration, although less than half through, has already become an epic in failures, vacillation, and reaction? To Washington the suggestion "uphold the hands of the President" raises an outcry of derision. But in Nebraska NORRIS's foes are hoping they can make the false issue stick.

Well, if they do it will be by some legerdemain that has the power of making black appear white and good seem evil. To any other man without money, without organization, without publicity, the outlook would be daunting. But to NORRIS, of Nebraska, it is but one more fight in the unending struggle he has always made and led, often single-hand-

¹ NORRIS, of Nebraska, was written by one of the best-known newspaper correspondents of Washington. Unfortunately, however, his paper is reactionary in character and his job would be jeopardized if his identity became known. It is significant, however, that even the correspondents of papers that politically oppose NORRIS are numbered among his admirers.

edly, in the more than 40 years of his devoted and patriotic service to the people of Nebraska and the Nation.

Simply and straightforwardly, as is his way, he is meeting his inevitable foes; no heroics, no rhetoric, no dodging, no guile, no faltering.

"I would rather be right than regular," he said in announcing his candidacy for reelection. "I offer no apology for the course I have pursued, and the only promise I make is that if I am reelected to the Senate I will continue to pursue it. I submit the issue to the constituency which has stood so loyally behind me all these years."

In no other State in the land were such words heard. No fanfare of campaign pledges, no grab bag of promises. Simply and honestly, as he has always lived, so he again came to his people.

That a man of NORRIS's insurgency and independence, of purity of character and idealism of heart and mind should in this day and age of triumphant reaction and demagoguery, million-dollar campaign funds, far-flung party and propaganda machines be a Member of the United States Senate is almost a miracle. One wonders how it can possibly be. And yet there he is, in the United States Senate, a man whose love of right and justice is as fierce as most men's greed and acquisitiveness; whose compassion and gentleness of heart and being is that of a poet; who has never turned from an issue, and who has never said an unkind word or done a dishonorable deed in the entirety of his life.

I know of no character in history to whom NORRIS is more comparable than his beloved Cyrano de Bergerac, that dauntless hero and poet, who alone defied the feudal overlords and fought them uncompromisingly to the death. That NORRIS should find in the life of this valiant insurgent of his day the inspiration and poetry that he does is profoundly fitting and significant of the wellsprings of the "most useful man in American public life," as another great American once characterized him.

NORRIS's very simplicity makes him, the least showy of men, often of tremendous dramatic power. He has a way of blunt, unadorned, terse expression that is sensational in its effect. There are numerous instances in his career of this blinding forthrightness. Among the most historic is the opening statement in his now famous speech challenging Speaker "Uncle Joe" Cannon's czarism of the House when NORRIS was a Member of that Chamber.

"Mr. Speaker," NORRIS began, "I present a resolution made privileged by the Constitution."

The sweep and authority of the declaration simply took away the breath of the House and swept away with it Cannon's iron grip.

Another celebrated instance of this genius for overwhelming simplicity was the opening statement of his attack upon Newberry, of Michigan, when it was disclosed that several hundred thousand dollars had been expended to elect him to the Senate in the days when the public had not become accustomed to the million-dollar campaign funds of the Vares, Mellons, McCormicks, Insulls, and Grundys.

"A public auction was held in the State of Michigan, and the thing which was put on the block to be knocked down to the highest bidder was a seat in the United States Senate," began NORRIS.

The final outcome of that relentless fight was Newberry's retirement from the Senate and public life, as later he was followed by Vare, and Frank L. Smith, of Illinois.

NORRIS is at one and the same time one of the saddest and yet most inspiring of men. His cruelly difficult life, struggling as he has almost from birth for a livelihood and an education and on through manhood against reaction, corruption, and injustice, has left an indelible impression upon his gentle face. There is the profound and utter sadness in his eyes of a man who has seen and met with much hardship, who has fought and labored for his fellows, and who has suffered bitter blows in the cause he has espoused.

But gently sad as is his face in repose there is nothing of the cynic or misanthrope about him. He is active and alert as few men are in the Senate, both physically and mentally, and when in action he is without peer for industry, astuteness, resourcefulness, and courage. He was the inspiration and force of the coalition movement in the past session of the Senate. It was his patience, his enthusiasm, his strategy, that brought the insurgents and Democrats together and time and again welded them into a potent fighting force that smashed to smithereens the opposition of the old guard.

His heroic-sized persistence is already a legend in the Senate. For 10 years he has waged single-handedly his fight to preserve to public operation the vast power resources of Muscle Shoals. He has completely won over the Senate on the question and in 1928 did likewise with the House, only to be stabbed in the back by Coolidge with a pocket veto of the bill. And on other issues he has hung on as uncompromisingly for his basic principles.

And yet, tenacious and unswerving as he is on fundamental principles, he is no obstructionist.

"I am one of the best compromisers in Congress," he himself says. "When I can't get what I want I take what I can get, provided the required concessions don't outweigh the gains. But compromises should be arrived at honestly, in sincere effort to do what is best, and not be used as mere devices in playing the game of practical politics."

"I believe in political parties and other forms of organizations, but as instrumentalities only. It is when they cease to be instruments

and become ends unto themselves or mechanisms of indirection and abuse that I object to them. My oath of office is not to a party or a so-called party leader but to the Constitution and the laws. I have not the right to yield my views just because a leader or a group running the party as a machine thinks to the contrary. Everyone in or out of office should vote for what he thinks is right and in utter disregard of partisan considerations."

This is his creed and he has never deviated from it, even when it seemed the desperate and foolhardy thing to do, as his defiant vote against the World War because he believed that the war was wrong and would do no good; as when he supported the elder Senator La Follette in his independent presidential race in 1924; as his advocacy of the Democratic senatorial candidate in Pennsylvania in 1926 as a protest against the graft and corruption of the Republican Vares's nomination; and as he endorsed Al Smith as against Hoover as the better man, even though he disagreed with the Democratic candidate's wet views.

Always he has abided by his innermost convictions. He has followed his own conscience ever. And he has done so without dragging in personalities or indulging in petty recriminations. To him the principle has been the vital matter. Which explains that feared and fought as he is, he is yet the most revered and beloved of men in the Senate. He is the idol of the newspaper corps, and the deeply revered associate and friend of his colleagues regardless of point of view.

NORRIS was born on an Ohio farm. When he was scarcely beyond infancy his father died, and from then on he has struggled unceasingly. First for an education; then for a meager livelihood on the frontier; and later for justice and honesty in public affairs. He attended for a while Baldwin University, at Berea, Ohio, and took a teacher's course at the Northern Indiana Normal School at Valparaiso.

In his early manhood NORRIS made his way for several years as a wandering school-teacher, sometimes traveling from one place of employment to another in empty box cars. He wandered into what was then Washington Territory and farmed and trapped for a while. He taught school in a frontier community. So bitter was the economic struggle in this region that he could find no place to board and had to build his own shack.

During these years he assiduously studied law. Meanwhile he was drifting toward the Middle West and finally settled down as an attorney in Nebraska. His honesty, his simplicity, immediately fixed him in his neighbors' attention. Within two years he was made district attorney and a few years later was elected judge. He became widely known for the liberalism of his justice and it was inevitable that he should be nominated on popular demand for Congress. He accepted and was elected in 1903. By 1910 he had developed an insurgent group in the House which launched the successful and historic fight against Cannonism.

That notable battle took him to the Senate, although entirely without his asking for the place. He attempted to make no capital out of the Cannon victory. He quietly returned to the comparative obscurity that surrounds an insurgent Member of the House. All patronage was denied him, and both in Washington and in Nebraska the Old Guard Republican organization stayed awake nights working over schemes of how to "get" him.

And because the odds were so desperately against him he calmly and quietly decided to run for the Senate. And he did, as a Republican opposed to Taft, who had been renominated that year as the Republican presidential choice. NORRIS insisted that Roosevelt was the rightful Republican candidate and he voted and talked for the Bull Moose ticket. But though he supported the Bull Moose ticket, he maintained titular identity as a Republican in that campaign, as he has done throughout his independent career since.

What his friends say is the most dramatic episode in his entire career is the night he spoke in Lincoln, Nebr., following his filibuster against the arming of merchant boats. With the others of the "little group of willful men" as assailed by Wilson, NORRIS had been ferociously attacked and denounced. The Legislature of Nebraska condemned him by resolution. He responded with a characteristic act.

He returned to Lincoln, the capital of the State, and at his own expense hired the largest hall in the city. He announced that he would make a speech discussing his vote against the war. When he stepped onto the stage alone he faced a packed hall and apparently a bitterly hostile crowd. There was not a sound of greeting as he began.

He at once launched into a careful and dispassionate review of the events that were leading up to the declaration of war and his own part in them. He denied nothing about Germany's guilt, but he showed clearly the equal guilt of the Allies. Concluding, he offered to resign at once from his seat in the Senate if the governor of the State would promise to call a special election at once so that the people could pass on his record and his candidacy for reelection.

The meeting broke up in a tremendous ovation. Men and women cried and cheered. NORRIS was nearly mobbed as the crowd strove to shake his hand, to pat him on the back, to embrace him. The great mass of plain men and women of the State, whose sons were about to be taken off to war, rose as one and shouted their indorsement of his courage, his vision, his liberalism. NORRIS went back to Washington

to work for the soldier, to prevent graft and corruption in war contracts, and to put the burden of the cost of the conflict upon those best able to bear it.

A volume would be required to enumerate and describe the causes that NORRIS has led in the Senate. Many of them have been forlorn, but some have been crowned with success. To-day, although well into 60 years of age, he is at the height of his physical and mental powers. He is chairman of the enormously powerful Senate Judiciary Committee and has brought to a far stage of two years' effort to put an end to "yellow-dog" contracts and injunctions in labor disputes. A bill to this end is now pending in the Senate, after having been fought by NORRIS through two years of committee obstructions. The next session may very likely see this vital legislation written into the law of the land through his practically single-handed effort and persistence.

Because of his reputation for rigid fairness, impartiality, and total lack of personal malice, it is always NORRIS who is sought as the leader in movements for needed senatorial investigations. He introduced the resolution under which the second Teapot Dome investigation was launched, and which produced the sensational disclosures concerning the Continental Trading Co. and the distribution of more than \$3,000,000 in Liberty bonds among Harry Sinclair, Col. Robert Stewart, Albert B. Fall, and others of the amazing Harding administration.

He offered the resolutions which denied the Senate seats claimed by William S. Vare, of Pennsylvania, and Frank L. Smith, of Illinois; which censured Senator HIRAM BINGHAM, of Connecticut, for his secret lobby associations during the writing of the infamous Smoot-Hawley tariff bill, that resulted in the inquiries of the Senate lobby investigating committee, with its amazing record of disclosures of the behind-the-scenes operations in the Capitol; and which authorized the work of the Senate campaign fund investigating committee, which has so far brought to light the million-dollar campaign funds expended in the Republican primaries of Pennsylvania and Illinois of this year.

In the past session he was the leader of the challenge of the appointment of Charles Evans Hughes to be Chief Justice of the Supreme Court, on the ground that his great utility-business associations unfitted him for this exalted post; and he also led the successful fight against the appointment to the same court of John J. Parker, of North Carolina, a petty politician-jurist, whose selection, it was disclosed during the bitter fight against his confirmation, was specifically made by Hoover for political purposes. NORRIS held Parker was not big enough for the great post and that his economic and racial views further disqualified him. Parker was rejected and Hoover was forced to name a much abler man.

Six years ago NORRIS determined to retire from public life. In a public statement he declared that he "had been bucking this game for 30 years" and had decided that it was "unbeatable." He said he was "thoroughly sick, tired, and disgusted of forever trying to accomplish something for the public welfare and forever finding those efforts blocked by the greed of selfish interests and the prejudice of partisan politics."

The announcement produced a remarkable demonstration. Beginning with Nebraska thousands of letters and telegrams poured in beseeching him as the one great champion of free government not to abandon the fight. From all sections of the country the message came. Great journals carried editorials and signed statements calling on him to carry on the struggle. He responded to the demand, was renominated, and reelected by overwhelming majorities.

His present decision to run for still another term is largely the result of a conspiracy between water-power interests and certain dry demographic leaders, who fear and hate him for his militant independence, to replace him with a complying and "regular" party man. These interests and elements, ever hopeful, considered that the time was ripe to once again make a fight on NORRIS. His insurgency in the 1928 presidential race, when he bolted the issue-dodging Hoover to support the outspoken Smith, seemed to them an excellent opportunity to whip up the fanatical dry element against him; although he is a staunch and sincere believer in prohibition and total abstinence himself—in fact, one of the few in the whole of Congress. But because he has refused to be whipped into line by the Anti-Saloon League and because he insisted that there were far greater issues at stake as between Hoover and Smith than the latter's wet stand, the fanatics, always disliking him, joined with the reactionaries and predatory interests in another attempt to "get" him.

If the combination was intended to frighten him, it failed. When friends in Nebraska warned him of what was under way he promptly accepted the challenge and reentered the fight "for the principles for which I have stood and fought all my life." His declaration of battle was a ringing manifesto to liberalism throughout the land.

"The announcement of this scheme," he declared, "constitutes a direct challenge, not so much against me personally, as against the fundamental principles of government for which I have fought; and if I failed to accept this challenge, it seems to me I could be charged with political cowardice and with a failure to do my full duty at a time when the principles of a free and democratic government are at stake."

Except for his striking face, with its deep lines, and its crown of snowy hair, NORRIS presents an ordinary appearance. He is

of medium height, but his frame discloses the rugged hardness and hardihood of a westerner. His speech is always simple, straightforward, homely. The man is utterly without guile, bombast, or egotism. He is always accessible, never harboring a hidden bitterness.

He does a prodigious amount of this, attending to the duties of chairman of the Judiciary Committee, the affairs of several other important committees, among them that of Agriculture, and being one of the most regular in attendance in the Senate Chamber. He is almost universally informed and is ever alert to new sources of information. When he addresses the Chamber he is listened to closely, and he is one of the very few Senators whose remarks have a profound effect on the course of legislation in Congress.

That he is to be found in the Senate of the United States is, as has been pointed out, almost a miracle. That he should be continued there as long as he can be persuaded to remain is a vital necessity to the progress and liberty of the Nation.

MR. BORAH. Mr. President, I ask unanimous consent to have published in the RECORD an editorial appearing in the New York World of this morning entitled "NORRIS, of Nebraska." I think it expresses views which will find sympathetic approval on the part of every Member of this body.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York World, July 19, 1930]

NORRIS, OF NEBRASKA

GEORGE W. NORRIS, of Nebraska, a veteran of 27 years of service in Congress, is a candidate this year for reelection to the Senate. His political opponents in Nebraska, who dislike him for his radicalism and his insurgency, are determined to defeat him. Apparently convinced that he would run away with the Republican primaries no matter who opposed him certain members of his party have thought up a new dodge. They have found an obscure young man, vaguely reported to be a grocer in the town of Broken Bow, who happens to have the name of George W. Norris, and they have persuaded this young gentleman to enter the Republican primaries. The effect of this action, of course, will be to confuse the electorate and to complicate the counting of ballots. There is a third candidate in the field, a standpatter indorsed by the organization—State Treasurer Stebbins. It is not suggested that Mr. Stebbins has had a hand in the arrangement to enter a second George W. Norris in the primary, but obviously he will be the beneficiary of the confusion which is certain to result.

It is a neat trick and a scurvy one. It is being used for the purpose of keeping out of the Senate one of the most useful Members of that body because he is entirely too independent to suit the regular organization of his party and entirely too critical of corporation methods to satisfy the business interests of Nebraska.

There are many points of view which we do not happen to share with Mr. NORRIS. We part company with him entirely on the question of prohibition. We lack his sublime faith in the ability of legislation to solve the problems of the farmer. In recent weeks we have criticized the reservation which he has sought to attach to the London naval treaty because we have believed this reservation to be mischievous.

If we differ with Mr. NORRIS on such points, however, we can at least honor the integrity of his motives. Over a long period of years he has done yeoman service in the Senate. He is a tireless worker. He is a bold champion of causes which command his loyalty. Not once, within our memory, has he been found fighting on the side of bigotry, hysteria, or private greed. He is a sane man, a tolerant man, and a devoted servant of the mythical average voter who usually loses his political friends on the morning after election. No other man in the Senate has worked more faithfully for the application of common sense in solving the problem of Muscle Shoals. No other man has more generously befriended lost causes, the under dog, and the rights of small minorities. No other man has incurred more bitter hostility on the part of the patrioteers, the regulars, the party hacks, and the poor relations of the rich.

GEORGE W. NORRIS is too useful a man to lose from public life. We should like to see him reelected to his present office even if we were unable to agree with him on a single point in his budget of beliefs. In a Senate containing so many store-window dummies who work on strings, his real independence and his robust honesty are qualities too valuable to be discarded. Whether he will make his campaign this year as an independent, in an attempt to avoid the trap which his opponents have laid for him, or whether he will take his chance on the regular ticket of his party, we do not know. In either case we hope that his courage and his integrity and his years of gallant service are honored as they deserve to be honored by the Republican voters of Nebraska.

AGRICULTURAL CONDITIONS IN SOUTH CAROLINA

MR. ROBINSON of Arkansas. Mr. President, at the request of the Senator from South Carolina [MR. SMITH], who is ill, I ask unanimous consent to have published in the RECORD an address by Dr. E. W. Sikes, president of the Clemson Agricultural

College, of South Carolina, on the subject of agricultural conditions in South Carolina.

The VICE PRESIDENT. Without objection, it is so ordered. The address is as follows:

SOUTH CAROLINA TO THE FRONT

South Carolina, though one of the smallest States in the Union in area and population, has played a conspicuous part in our history.

It has gone through three changes in its economic system and is now entering upon a fourth. The first was indigo; then rice; then cotton, which fostered slavery and the 1-crop system. We are now in the fourth, characterized by varied agriculture and the textile industry.

The farms of South Carolina grow not only cotton but they grow other crops that are measured in millions. There are 12 crops grown in South Carolina, every one of whose value must be counted in terms of millions. Farms no longer buy their feedstuff from the West. Fewer farms in South Carolina than in any other State of the Union import feedstuff—only 15 per cent do. The same is becoming true of food. There is no need to pine for chicken and eggs in a State that raises \$15,000,000 worth and ships out in carload lots \$600,000 worth in six months.

There are only 80,000 white farms in South Carolina, but they are alert for information. They realize that successful farming must be based on modern scientific knowledge. They are reaching out eager hands for this information. Clemson College, in cooperation with the United States Department of Agriculture, is carrying on this year over 100 research projects for them. These projects range all the way from cotton and corn to hogs and dairying.

The progress of agriculture in the State depends on the popularization of this knowledge, the getting of it into the hands of the people who plough and sow. This is being done. There is a county agent in every county, or soon will be. The farmers in these counties are demonstrating what the scientists have told. They are conducting 8,655 demonstrations on 30 different projects. The farmer may doubt what you tell, he may doubt what he sees, but he will not doubt what he does. Five thousand students are studying agriculture in the high schools; these students teach 5,000 fathers; 5,000 adult farmers attend night schools and conduct 9,000 projects; 5,000 boys belong to the 4-H Clubs and conduct 5,000 projects, varying from corn and cotton to pigs and poultry.

The contests for the largest yields in cotton, corn, and potatoes among both boys and adults have stimulated an eagerness to secure the latest scientific information. The thousands who enter these contests seek the very latest scientific information. These men and boys by the thousands can quote a formula for a fertilizer or for a feed with the glibness that a former generation could parse Peter's cap or conjugate the verb "to be."

The results are evident by what they accomplish: The 3-year average of the cotton contest was 579 pounds lint cotton, while the average for the whole country was only 152, and even the Imperial Valley in California was only 352. A club boy no longer surprises anyone when he makes a bale and a half to two bales to the acre. One boy last year grew 108 bushels of corn on an acre; the average for the 2,000 club boys was 45 bushels. Iowa is the greatest corn State in the Union. The State song has the refrain, "There is where the tall corn grows," but their average is only 365. The South Carolina club boys can beat the average Iowa corn grower in growing corn. These results not only can be, but are, being achieved by both men and boys in large numbers in the State.

The two columns on which the economic welfare of South Carolina rests are a broad, intelligent agriculture and a broad, intelligent textile industry. Fewer and fewer will be needed to produce enough agricultural products; more and more will enter industry and trade. In every section of the State many money crops can be grown; in every section of the State the climate and environment are favorable to industry. There is enough surplus labor in every country to supply a moderate plant. With good roads, which have been coming rapidly for the last few years, with cheap transportation, with an abundance of electrical power easily transmitted, with a supply of industrious, intelligent Anglo-Saxon labor, there is no reason why South Carolina should not claim a large share in the development of the next 50 years. She has but to nourish the intelligence to plan, the courage to undertake, and the virtue to ennoble.

LONDON NAVAL TREATY

In executive session the Senate, as in Committee of the Whole, resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

The VICE PRESIDENT laid before the Senate a resolution adopted on the occasion of a farewell meeting of friends of the Rev. Michael O'Flanagan, marking his departure for Ireland, at Pythian Temple, New York, N. Y., protesting against the ratification of the London naval treaty, which was ordered to lie on the table.

Mr. ROBINSON of Arkansas. Mr. President, Mr. William Hard recently delivered an interesting and, I believe, informa-

tive address over the radio on the subject of the treaty now pending before the Senate. I ask that the same be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered. The address is as follows:

ADDRESS BY WILLIAM HARD MADE OVER THE NATIONAL BROADCASTING CO. NETWORK ON WEDNESDAY NIGHT, JULY 9, 1930

Ladies and gentlemen, to-night I am going to begin by going "back of the news" quite a long way. I am going to go back as far as the most influential war that ever was waged—the war that achieved the independence of the United States.

What do you think was the main physical reason why we won that war? Was it a reason on land? Or was it a reason on sea? I shall quote to you the opinion of one of our greatest American students and expositors of warfare—Admiral A. T. Mahan. Admiral Mahan points out that French assistance, so vitally needed, could never have reached the American Colonies without some considerable control of the sea by our French allies and by the allies of the French, the Spanish. He remarks—I quote his words—that "in 1779 the united French and Spanish fleets appeared three times in the English Channel, once to the number of 66 sail of the line, driving the English fleet to port because of its great inferiority in numbers." He describes the wearing effect of French and Spanish sea power upon Britain's commercial and military sea activities. He makes all allowances for the tenacity and audacity and unstinted sacrifices and ultimate astounding successes of the Revolutionary American colonists on land. He points out, nevertheless, that in our industrial feebleness our exploits on land would have been impossible without imports of war materials by sea. With all his patriotism, but also with all his learning and judgment, he deliberately concludes: "It was the combined efforts of the French and Spanish fleets that bore down England's strength and robbed her of her colonies."

Ladies and gentlemen, we think of ourselves as a continental power, a land power. The new naval limitation treaty is in the Senate. We incline to think of the subject matter of that treaty as of something a bit remote, something rather secondary. It is not secondary. It is primary. This country was born of the spirit of liberty and of valor, married for a moment to a mastery of the sea. In our maturity the sea remains, by act of geology, and of Providence, the obvious destined potential protector of our envied wealth and of our unique happy escape from the ordinary collisions and catastrophes of traditional world politics. When therefore I speak to you again to-night about power at sea, I do not speak of a fringe on the hem of our raiment. I speak of the shield on our heart.

It is said that the treaty will unduly and unfairly narrow our power. It is said that the treaty will prevent us from having ships which we ought to have in order to arrive at the possession of a fighting fleet suitable for our special national situation and need. It is said, in sum, that under the treaty we shall be less than we could be and should be.

These contentions are brought forward by patriotic and honorable men whose characters are their competent defense against the easy reckless charge of "militarism." Contrary views—views in favor of the treaty—are expressed by men equally patriotic and equally honorable whose high mental and moral attainments are similarly a competent defense for them against the parallelly easy and reckless charge of witting or unwitting subservience to foreign influences and wiles. To listen to the tones of the quarrel one might think that we were divided into bloody pirates on the one hand and bloodless traitors on the other. Don't be alarmed. The statesmen who are now opposing one another and calling one another hideous names on this topic will soon be cooperating with one another on some other topic and calling one another heroes and patriots. All that is really happening is a difference of opinion on honestly debatable points.

I wish to approach some of those points to-night from what might be called a composite direction—a direction along which you may observe, I hope, some instructive scenery of facts important alike to the treaty's friends and to the treaty's foes. It seems likely that the treaty ultimately will be ratified. I want to-night to make some comparisons between what we have done and are doing for our fleet without the treaty and what we are permitted to do for it with and under the treaty.

The new and important limitations in the treaty are upon auxiliary vessels. Their title—auxiliary—makes them appear trifling. They are, in fact, of large total bulk. They constitute roughly and approximately—in total combined tonnage—one-half of the fleet which the treaty allocates to us.

These auxiliary vessels, thus newly limited and thus comprising the main theme of the treaty, are submarines and destroyers and cruisers. Our submarines, because of the Philippine Islands, are much more important to us in relation to Japan than in relation to Britain. Foes of the treaty say—perhaps wisely—that in principle our tonnage of submarines should be to the Japanese tonnage of submarines as the figure 10 is to the figure 6. That, they say, should be the proportion. I then inquisitively ask: "What is the proportion now? What is the proportion now, without any limiting treaty to restrain our zeal?" I shall use the statistics used and approved by that wholly authoritative and extremely eminent young naval historian and analyst, Commander

H. H. Frost, United States Navy. Our built and building and under-age and supposedly effective submarine tonnage is 65,000. The Japanese is 78,000. That is not a proportion of 10 to 6. It is a proportion of 10 for us to 12 for them. That is what we have accomplished without a limiting treaty.

But even that is not the top of the tale. The top is this:

"Of submarines designed and built since the war, of really modern submarines, we have some 8,000 tons and the Japanese have some 39,000. That is a proportion of about 10 to 50. That is our achievement under limitlessness.

"Now what does the limiting treaty permit us? It permits us to stay at the relative figure 10 and brings the Japanese down relatively to 10. It establishes at least parity, if we choose to pay for it, between us and the Japanese. It permits replacements of overage submarine tonnage. It permits us, according to the calculations of Admiral Yarnell, to lay down 40,000 tons of new submarines between now and the end of 1936. The annual cost of doing that building would be along about \$20,000,000. Very well. Under the treaty we can spend \$20,000,000 a year on catching up with the Japanese in submarines. Our Congress has just concluded its regular session. Our House of Representatives and our Senate have just passed an appropriation bill for the maintenance and improvement of our Navy. How much did they appropriate for the starting and finishing of new submarines? Seven million five hundred thousand dollars. No limiting treaty, and only \$7,500,000, in comparison with the twenty million annually permissible if all the rigors of the limiting treaty were upon us!

"I respectfully suggest to the able Senators who are opposing the treaty that if they fail to stop it they at any rate next year can lawfully try to persuade their colleagues to do more for our submarines under the treaty than they have been doing without it.

"So let us go on to destroyers. We have an immense horde of destroyers. They are all of them old and almost all of them rickety reminders of the haste and waste of the Great War. As Admiral Yarnell forcefully observes, their batteries are weak and their cruising radius is inadequate and their turbines are unreliable. In destroyers, to put it colloquially and flatly accurately, we possess 'oddes of junk.' Not one destroyer have we laid down since 1920. Since that year Britain has laid down 22 and Japan has laid down 47.

"Under the treaty we can spend \$50,000,000 a year building a total of 150,000 tons of new destroyers between now and the end of 1936 and thus acquiring full modern fighting parity with Britain and a proportion of 10 to 7 in relation to Japan. Fifty million dollars annually for destroyers under the treaty! Now, just for comparison, what did this last regular session of our Congress appropriate for new destroyers? Not one cent.

I always like to be present when that admirable epitome of dauntlessness, Senator JOHNSON, of California, essays his great feats; and I hope he will fight the treaty so hard that he will get his second wind; and I want to be there next year when under the treaty, if it is then in operation, he tries as he alone could so strenuously try to get the Senate to raise its contribution to our new destroyers from nothing to fifty million.

And so I come to cruisers.

We dote nowadays on the big-gun cruiser. You'd think we invented it. We did not. It was a British idea. They started building 7½-inch-gun cruisers during the Great War to chase little German raiders. They now have 146,800 tons of 7½-inch-gun or 8-inch-gun cruisers. The Japanese have 108,400 tons of such cruisers. We sometimes seem to claim now that such cruisers are the very marrow of our might. Yet, mark. We are now just completing our first 80,000 tons of them.

That is in the proportion of 10 for us and 13 for the Japanese and 18 for the British. That is the present extent of our soaring to safety and big-gun cruisers under no treaty, with the sky the limit.

The treaty holds the British and Japanese big-gun cruiser tonnages right where they are till the end of 1936, and in the meantime, on top of the 80,000 tons of such cruisers that we are just completing, permits us to finish 80,000 tons more and to begin a further additional 20,000 tons of them. That will put us well above the British and far above the Japanese.

But that is still not the whole of the prospective possibilities of the treaty in comparison with our past and present actual performances. I come to 6-inch-gun cruisers.

A 6-inch-gun cruiser does not have to be weak. Under the treaty you can armor it as much as you like. You can build it as large in tonnage as the largest big-gun cruiser, if you please. It happens that the present British big-gun cruisers—and our present ones, too—are many of them armored so lightly that a 6-inch-gun projectile could gravely worry them. Commander Frost, out of unsurpassed study of such matters, states definitely that a 10,000-ton 6-inch-gun cruiser can be given the speed and the endurance of the 8 inchers and can be given an armor capable of repelling the projectiles of the 8 inchers and that—in his words—"such 6-inch cruisers would be at least the equal of the British 8-inch type."

So then, in 6-inch-gun cruisers we now have 70,500 tons while the Japanese have 97,000 tons, and the British 185,000. That is in the

elegant proportion, acquired under unlimited freedom, of 10 for us, 13 for the Japanese, and 26 for the British. The treaty certainly enormously potentially redresses that proportion to our advantage through raising the British tonnage by only some 7,000 tons and the Japanese tonnage by only some 3,000 tons, while it raises ours by 73,000 tons.

Ladies and gentlemen, I say not flippantly but very seriously indeed that if Senators who fear for our naval safety will only continue to fear for it and will only succeed in bringing it about that during the next six years we actually build the 40,000 tons of new submarines and the 150,000 tons of new destroyers and the 100,000 tons of new 8-inch-gun cruisers and the 73,000 tons of new 6-inch-gun cruisers which the treaty permits us, they will have done much more than they have been able to do during the last 10 years to overcome the indifference or reluctance of a lot of their colleagues.

Well, that's all. From the standpoint of the improvement of our Navy the treaty may not be all that all of us might want; but at any rate it is on the whole much more than all of us put together have been doing.

I do not want to end on a big-navy note or on a little-navy note. I do want to end on the suggestion, as I began on it, that this country, cradled of the sea, and moated by the Atlantic and the Pacific, is continental in domain but oceanic in defense. The English Channel has been shrunk almost to a rivulet by the airplane. The oceans, even for the airplane, continue in large practice to sunder and to save. It is no longer Britannia but of her revolutionary colonists that Thomas Campbell might seem to have sung. To-day his poem might be amended to say:

"Columbia needs no bulkworks,
No towers along the steep.
Her march is o'er the mountain waves,
Her home is on the deep."

Treaties come. They expire and go. Judge for yourselves, as the years pass, if our safety is not of the sea. Good night.

Mr. WALSH of Massachusetts. Mr. President, I well appreciate the impatience of the Senate. I have no purpose whatever to assist in delaying the Senate in taking a vote upon the pending treaty. However, I feel very seriously that before that vote is taken the Senate ought to record itself in favor of a policy which I think the country should adopt in the event of the ratification of the treaty now before us.

I present a resolution upon which I shall ask to have a record vote before the vote is taken upon the treaty. I present the resolution with a sincere desire to have an expression by the Senate of the United States as to its intent in reference to the future naval policy of the country in the event of the ratification of this treaty. I want to say that the resolution is not presented in a spirit of hostility to the treaty. Neither is it presented in any desire to give comfort to those opposing the treaty in this Chamber. I am frank to say its adoption or rejection may have a controlling effect upon what my final vote may be. I have approached the consideration of the question in a friendly and sympathetic spirit, and before I am through I expect to say what I think ought to be said in commendation as well as what should be said in criticism of the treaty.

I believe the adoption of the resolution presented by me will have a tendency to remove much of the skepticism and indifference toward the treaty throughout the country. Many people are concerned as to what is really the best course for our country to take. There is a feeling among many that we are growing indifferent to our own national security because of the propaganda of pacifists. One thing is certain, that the ratification of this treaty, defining the naval needs of our country in the light of the naval needs we concede to other nations, places a new and grave responsibility on us.

We must now adopt the policy of actually confessing inferiority and the acceptance of the assurance of peace without military preparation that pacifists sincerely believe, or support a policy that insures us naval armament at least to the degree that other nations are willing to concede to us with respect to our naval needs and requirements.

Mr. President, in order that the Senate may follow my remarks and understand the motive actuating the presentation of the resolution I send it to the desk and ask that it be now read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read the resolution for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 328), as follows:

Whereas it is the sincere desire of the American people to establish a material reduction in naval armament throughout the world; and

Whereas the United States has participated in three naval conferences with the object in view of urging upon other nations its purpose and desire to reduce its naval armament and to cooperate with other nations to the same end in order that the people of the world may be relieved of the crushing burdens necessitated by maintaining their pres-

ent military establishments, and because of the conviction that world peace is more likely to be preserved by the maintenance of minimum navies by the great powers of the world; and

Whereas all American experts and delegates—including Senator REED, of Pennsylvania, whose statement, "We (the American delegates) were horrified to find that in these auxiliary classes the United States was in a condition of almost hopeless inferiority"—give irrefutable and overwhelming testimony that there was a failure to make any material progress in actual naval armament reduction at the three conferences which have been held since the World War, due to the fact that the American Navy was proportionately inferior to the navies of Great Britain and Japan at the convening of the last two conferences; and

Whereas it is the opinion of American delegates and observers that no conference will result in bringing about a substantial limitation of naval armament in the world unless at future conferences the United States is in a position to scrap its proportional share of naval craft of any and all classes simultaneously with other powers; and

Whereas it is the desire of the United States Government to remove all possible obstacles that have heretofore caused a failure to accomplish really material naval reduction, and because of the sincere desire of the American people to promote world peace and lessen the tax burdens of its peoples and the peoples of the world in future maintenance of large military establishments; and

Whereas the London treaty seeks to establish a definite naval parity between the contracting nations and, therefore, is tantamount to legalizing the right of each nation concerned to maintain a navy of the actual strength defined in the treaty; and, therefore, when other nations are maintaining maximum navies permitted under the actual theoretical parity set up, the failure of the United States in this respect is an admission to the world of our purpose to maintain a navy of actual inferior strength to what our needs require, and agreed upon by the American delegates at London; Now, therefore, be it

Resolved, That the Senate of the United States, in the event that this treaty is ratified, favors the substantial completion by December 31, 1936, of all cruisers mounting guns in excess of 6.1 inches, all aircraft carriers, all destroyers, and all submarines permitted under the treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930.

Mr. WALSH of Massachusetts. Mr. President, I apologize for the length of the preamble to the resolution, but I have made it extensive in scope for the reason that I was most anxious that there should be no misinterpretation of the intent in offering the resolution. The purpose behind it is reduction of naval armament. The theme of my observations will be naval reduction and how to obtain it.

I have no sympathy with the extreme militarists of this country or elsewhere. I repudiate association with any group seeking to increase beyond our actual requirements the military strength of our Navy or our Army, and I likewise repudiate the group of well-meaning pacifists who favor an inadequate or negligible navy. I speak for 90 per cent or more of the American people who favor neither one extreme nor the other, but who desire in the interest of world peace and in the interest of tax reduction such a reduction in our Navy as is not incompatible with our legitimate naval needs, the valid demands of our own defense.

I ask Senators to keep in mind the word "reduction"—because that is what I purpose to discuss—reduction of naval armament.

Let me recite a little history. Ever since the World War a plea has gone up from the excessive war tax-burdened peoples of the world in every land, for what? For the reduction of military and naval armaments. Two purposes have been behind this sentiment: First, to lessen the tax burdens of the people; and, second, to promote world peace. The belief is—in which I share—that more powerful than peace treaties and agreements is military disarmament—the reduction to a minimum by all the countries of the world their military and naval armaments. What progress in that direction has been made by the statesmen or governments of the world since the Great War? Three conferences have been held. Let us review them in the light of what has been done for the benefit of the peoples of the world in reducing the burdens—the extremely oppressive burdens—of militarism in time of peace.

First was the Washington conference of 1922. That conference, because we entered it with our war-built Navy actually superior in naval strength to Great Britain and Japan, resulted in some reduction on paper, at least, of naval armament. Because we possessed, to use the language of some of the naval experts, a strength of position by reason of the power of our Navy, we were able to talk in terms of reduction; and reduction was achieved in a limited measure applicable to limited classifications.

However, as all well know, reduction was voted but not accomplished because the Washington treaty left unchecked the right of the powers to continue naval building in submarines,

destroyers, cruisers, and powerful auxiliaries. This omission practically nullified and made useless, so far as actual reduction of naval craft was concerned, the Washington treaty. It was not sufficiently comprehensive; it was effective in reduction in only one or two categories of naval craft. One would expect, if I have correctly interpreted the aspirations and the hopes of the peoples of the world, that at least the sentiment emanating from them as voiced at the Washington conference would be reflected in the conduct of the statesmen of the world in their legislative naval policies in the succeeding years. What a cruel indictment of the indifference of statesmen to the spirit of naval reduction do their actions record during the following years.

Bearing in mind, Mr. President, the background of and the spirit which prompted the calling of the Washington conference, let us examine the record to learn just how the statesmen of the world proceeded to give effect to the hopes of the peoples of every nation for actual naval reduction that would lessen taxes and promote peace.

Following that conference and up to January 1, 1929, the great powers of the world laid down and "appropriated for" naval expansion as follows: Japan, 125 naval vessels; Great Britain, 74 naval vessels; France, 119; Italy, 82; and, to the everlasting credit of our own country, the United States, exclusive of small river gunboats, 11.

Though in a better position to act than any other country because of our unlimited resources, we were the only nation of the world to interpret the spirit of the peoples of the world for actual naval armament reduction by not building naval craft in competition with other powers.

When the Geneva conference met in 1928 our delegates to that conference, aware of this record of naval-craft building, found themselves in a position unlike that in which our delegates to the Washington conference found themselves, namely, in the position of representing a Navy inferior proportionately to the navies of Great Britain or Japan. The fact that we were inferior and had nothing to scrap, while we were asking the other nations to scrap, resulted in the failure of the Geneva conference.

I can understand the psychology affecting the statesmen of the other nations, sitting at a conference table for the purpose of discussing naval armament reduction. The query would naturally arise in their minds, How can we convince the people of our countries to approve a reduction policy by saying "We have scrapped \$100,000,000 worth of naval vessels while the United States, the richest and most powerful nation in the world, has not scrapped a dollar of its naval investment?" We surely can understand the psychological effect such an announcement would have upon the people of the nation concerned, and undoubtedly the Senator from Pennsylvania and the Senator from Arkansas fully realized that fact for they were faced with it at the very opening of the London conference. That situation is well expressed by the Senator from Pennsylvania in the quotation which I have incorporated in the resolution I presented. No one now disputes that we failed to accomplish anything in the policy of reduction to which our country is committed, because we were inferior proportionately to Japan and Great Britain. That is the one outstanding fact that all our delegates to this and the Geneva conference are agreed upon. Is there no lesson to be deduced from this known cause of failure for those of us who favor naval reduction?

The wise and prudent Mr. Coolidge, a shrewd economist, carried out the policy during the years between the Washington treaty and almost to the end of his administration of not spending a dollar for naval expansion. After Geneva he realized that there could be no progress toward naval limitation or reduction in the world unless we had a navy on a parity in combat strength with the navies of other countries. Mr. Coolidge, as you would realize, Mr. President, if you knew him as I know him—and I have very great esteem and respect for him—is the last man who would launch on a policy of the expenditure of large sums of money for military purposes without good reason. Many believe his administration smacked of a policy almost of parsimony except when there was a powerful national necessity. He shrewdly decided to be forearmed for the next conference and determined that America should go into the next conference with substantially as large a navy as the other nations had. No longer, Mr. Coolidge advised, should we go into conferences where our inferiority would put all the burden of waste and scrapping upon other nations and would put none upon us. Unfortunately, the time was too short, and the Congress materially modified the Coolidge program. But what was the result? The Senate is familiar with the act of February, 1929, which provided for the building by the United States of 15 cruisers and for the construction of one aircraft carrier.

Before we had finished construction on any of these authorized cruisers and when only five were contracted for, the London Naval Conference of 1930 was convened.

The result of the conference of 1930 is before us. I inquire, What was the purpose of this conference, and to what extent has that purpose been attained? The purpose, so far as the general public was concerned, was the reduction of naval armament. That was the hope and expectation of all unselfish and peace-loving citizens of the countries involved. The American people certainly sincerely desire a speedy and substantial reduction in naval armament. They are determined to leave nothing undone to remove the competition in naval building and thereby lessen the burden of the taxpayers of the country. They believe it is the most legitimate and the most important field of governmental expense in which to insist upon lowering its financial budget.

Mr. President, all delegates who have testified in connection with the London conference and the treaty resulting from its deliberations, found themselves unable to make any immediate progress for the simple reason that we were inferior in naval strength. I will read again from the Senator from Pennsylvania—and I quote his language in my resolution because it is so effective and so well indicates the awakening which the Senator from Pennsylvania experienced when he sat at that conference and found himself practically debarred from advocating reduction. Let me repeat the language which he used:

When the delegation met last autumn, and sat down to study the condition of the American fleet, at the moment we were horrified to find that in these auxiliary classes the United States was in a condition of almost hopeless inferiority.

Again, during his speech in giving the result of the conference he said:

There is the agreement in substance: Great Britain goes down 4; Japan stands stock still for 7 years; we go from 1 up to 18; and yet it is called "effrontery" to say that that is fair to America.

Eighteen more for America! What a travesty this record is in the name of naval reduction!

I quote from Secretary Adams in his testimony before the Naval Affairs Committee:

We can fairly say, then, that with an auxiliary fleet of the same or perhaps less value than theirs we had to ask them to stop building, let their fleet deteriorate, and permit us to build to a relation of 10.7. It could not be done.

We had no principle of justice to urge.

And again:

In the Washington treaty it was impossible to make an arrangement covering these categories with Japan. We failed, notwithstanding all the assets we had in our hands and all the cards we could then play.

It being admitted that at the Washington conference we had more cards in our hands than the other nations; yet, with more cards in our hands, we could not obtain a reduction in certain categories referred to by the Secretary.

I quote from Admiral Pratt:

So when we went into this conference—mind you, we got the 5 to 3 from Japan on the status quo—and if she had used the same method that we had used in the Washington conference and had demanded the status quo on account of her position at London, it would not have been 10 to 7 or 10 to 6 but it would have been about 5 to 10 for her.

We were pretty lucky to come out 10 to 7 by yielding on some things.

Senator SHORTRIDGE. And there are different conditions at different times?

Senator WALSH of Massachusetts. I understand you to say that at the time of the Washington conference because of our naval strength we had the trump hand?

Admiral PRATT. We did.

Senator WALSH of Massachusetts. And, therefore, we were able to make a better bargain, but following the Washington conference all of the powers that signed that agreement which we thought not only limited naval armaments in certain categories but was a gesture in favor of world peace in that it indicated a disposition not to rush madly into building big navies, proceeded to expand their navies. As a result of our good faith we did nothing, and built practically no naval craft, while Great Britain, Japan, France, and Italy built a tremendous amount of naval craft not limited under the treaty, submarines, destroyers, etc., with the result that at this London conference we were at a disadvantage and they were all at an advantage, they having built following the Washington conference more naval craft than we had. Is that correct?

Admiral PRATT. Yes.

It is not necessary to pursue that line of argument further. It is, I think, generally agreed that we did labor under a great disadvantage and will always do so if we expect others to reduce to our level when we are not in a position to reduce.

Mr. President, I repeat, what was the motive behind this treaty? What was the intention of our Government in participating in it? What were the hopes of the people? Naval reduction. Why is this treaty spoken of even by its advocates as disappointing?

I am not unmindful of the fact that there are some things to be said of this treaty that are encouraging. The first is that the treaty does put an end to naval competition; that it does put a limit until 1936 upon the extent to which nations can race in their efforts to build up big navies. That to me is a very important result of this treaty.

I am not unmindful also of what would be the moral effect upon the world of repudiating this treaty—namely, that suspicion and doubt would be attached to our capacity to support the conduct and the decisions honestly and patriotically arrived at by representatives of our Government in future conferences.

Of course both these aspects of the treaty are challenged by the opponents of the treaty who assert that the treaty really does do an injury to our country through reducing its defenses disproportionately; and therefore they feel justified—and I think anybody who reaches that conclusion is justified—in opposing this treaty.

Whoever considers that an actual injury to our national defense will result if this treaty is ratified may well view the factors in favor of the treaty of minor consequence.

I am not immediately concerned about the quarrel over the 6-inch cruisers and the 8-inch cruisers. There is opportunity for a wide difference of opinion there. I do not want to appear to criticize in any way the attitude of those who really think that is vital. I have much sympathy with those who take that position; but during the long analysis and study I have given this question I have sought to keep in mind one outstanding objective—how can we accomplish naval armament reduction? The conscientious conclusion I have reached is that the action suggested in my resolution is most important for the promotion of peace and for our national defense in view of the certain adoption of the treaty by the Senate.

My resolution provides in substance that, in connection with the ratification of this treaty, we say to the American people who are not pacifists and who are not militarists, "We have curbed the militarists by putting a limit upon what they can expend and build; but we have not left you powerless to pacifistic propaganda and action. We have not left you, after legalizing the right of other nations to have powerful navies, in the hands of those who may reduce our Navy through negligence or lulled belief in our security without adequate protection to an inferiority that may make our position much worse than before this treaty was negotiated."

Just what does this treaty do? It legalizes the right of other nations to have a definite combat naval strength. I maintain that if these nations build to that combat naval strength, and we fail to do it, we are guilty of the highest degree of negligence. We are surrendering the right to do as we please; we have no business now to be indifferent to our needs in the light of what we consent others shall have.

Senators know that there is a sentiment in this country to scrap the Navy completely. Senators know that there are well-meaning people in this country who would urge our ratification of this treaty even if it granted to other nations the strength it does and had reduced the proportionate strength of our Navy even 50 per cent more than it actually does. You know that as well as I do. There are people who really believe that the less strength our Navy has the more likely we are to promote world peace by our example of disarming.

Peace we must fervently pray for, I agree. And what is more, we must build up and encourage that faith and that spirit of mutual good feeling and international cordiality which are in the nature of things its surest foundation. Let us treat with other nations to cut down competition in navies and armies. Let us promote the cause of international good will by every reasonable means within our power, by scrapping our armies and navies to the very minimum, provided that other nations will do likewise. But this process, I submit, must be mutual, concomitant, and reciprocal. And in the process we must not leave our trade, our dignity, or the liberties and properties of our citizens to the mercy of any foreign power.

I do not therefore share the conviction that leaving ourselves defenseless is the only way to peace. I do not sympathize with that view. I recognize the fact that our delegates agreed upon this treaty because they sincerely believed, because the other na-

tions' requirements convinced them that we needed for national defense the strength of naval craft named in this treaty; and also—and this is important—they reached the conclusion that we needed for ourselves naval strength equal to that which we conceded to other nations. Unfortunately, we can not think of naval reduction without thinking of other nations. Unfortunately, naval reduction and national defense can not be dissociated. They are inevitably interrelated.

Therefore, Mr. President, I urge that we say to the American people that it is our judgment, in view of our past experience, in view of our sincere desire for future conferences to accomplish something in the way of actual naval reduction, that we build up substantially—and I put in that word purposely, because I do not mean to commit us to build to the very letter of this treaty, but substantially—the amount of naval craft that we are permitted to build under this treaty. I have omitted from my resolution the one item in controversy, namely, the building of the 6-inch cruisers. That dispute can remain for settlement at the next conference. I want American delegates who go to the next conference and meet delegates of other countries to be able to say, "Now, we all have an agreed parity. Shall the reduction be 5 per cent, or 10 per cent, or 25 per cent? That is the only question." Let us never again put in the mouths of other conferees the words "build up" instead of "reduce."

The delegates have stated that they could not say, "Let us reduce 5 per cent, or 10 per cent, or 25 per cent," because it would be asking Great Britain and Japan to sacrifice, while we could do nothing in the way of reduction because of our general naval inferiority. Do we really want naval reduction in the future? If we do, I sincerely believe it can be made possible only by now establishing not paper parity but actual parity. Later will follow steady reductions as each country's naval craft become obsolete. The cost is not so much as appears if we build the 15 cruisers already authorized and for which we have not appropriated the money. I want to forestall any move in that unwise direction of lessening our naval needs because of a paper parity that some may consider a peace truce and remove the necessity of further naval expenditures.

After all, is not my resolution the action we must take to complete this work? After all, must we not be in a position to say to our people, "You have been placed on a parity—not a paper parity, but an actual parity. You have proportionately, gun for gun and vessel for vessel, with Japan and Great Britain and the other great powers of this world." Having curbed the militarists, having restricted the propaganda for big navies and the business of national competitive racing in the building of navies; having ended that, which is the one valuable and outstanding contribution to the world as the result of this treaty, how can we stop short of saying that we do not intend to fold our arms now and let our Navy decay? If we concede this treaty naval strength to other nations, how are we going to escape securing the strength they say and we agree we need? If three nations agree upon the amount of insurance each needs, is it not negligent of one to refuse to carry the insurance agreed upon? Is it not even a disregard of the other parties' rights?

I for one do not propose to allow this treaty to be ratified without stressing the importance of providing for building our Navy up to the actual parity named. To do otherwise is negligence. To do otherwise is to leave us in the hands of those who propose to let our Navy decay and waste away. To do otherwise is to legalize and practice inferiority before the world.

I do not think we shall have completed the work of this special session until we declare ourselves by a statement such as I have sought to express in the resolution which I have offered.

Mr. President, I do not care to prolong the discussion. I offer this resolution in good faith. I am not advocating new principles. If anybody will take the trouble to read what I said at the time of the ratification of the Kellogg peace pact, and what I have said on every occasion in connection with the discussion of world peace, he will know that I have always associated world peace with military reduction. I repeat, rigid limitations of armaments agreed to by the nations and lived up to will end wars. Let us seek the minimum of war armaments for the world as a real effective peace move.

This resolution is offered not in the interest of those who seek or desire a big navy, but as the sole and only means, in the light of our experience, of offering to the world any prospect of 5, 10, or 25 per cent naval reduction in 1936 or thereafter.

Mr. President, if this treaty is approved, it opens for the first time the question as to whether this country is to be con-

tent with simple parity in naval combat ships on paper or with an actual parity. If we are at all thoughtful of the legitimate defense of our country, how can we escape the conclusion that in the interests of our national security, of world peace, and in the interests of obtaining reduction of naval armament at future conferences, an actual naval combat parity is essential, and that this actual parity should be along the lines agreed to in this treaty, even if we disagree as to whether or not there is an actual parity set up in this treaty. I am dealing with realities, for it is now clear that the treaty will be approved. Regardless of actual real parity, let us have at least what is conceded to us until the 1936 conference.

The London treaty seeks to protect the world against the excesses of militarist statesmen, but there is no protection against pacifism carried to the extent of imperiling our security unless we establish, as other countries have done, an actual combat parity. Furthermore, the one outstanding lesson learned from these conferences is that reduction of naval armaments will come alone from our being on an actual parity with other countries at future conferences.

I ask unanimous consent that a vote may be had upon the resolution some time before the final vote on the treaty. I have no particular time in mind, and I do not ask a vote to-day. I would like to have Senators consider seriously what I have presented for their decision.

Mr. REED. Mr. President, will not the Senator withhold his request for unanimous consent until we may have had a chance to discuss with him the phraseology of the resolution?

Mr. WALSH of Massachusetts. I will be very happy to.

Mr. REED. I am quite in sympathy with the Senator's intention, but I was going to suggest one or two slight changes in the wording.

Mr. WALSH of Massachusetts. I will be glad to withhold my request.

The VICE PRESIDENT. The resolution will be printed and lie on the table.

The treaty is in Committee of the Whole, and the first article is open to amendment.

Mr. HALE. Mr. President, I am somewhat surprised that the Senator from Massachusetts, who is a very able and a very useful member of the Senate Committee on Naval Affairs, should be taken in by the very specious arguments which have been made by our delegates to the London conference about the hopeless condition of inferiority in which we found ourselves at the London conference. As a matter of fact, one of the principal reasons for the London conference, and one of the reasons which especially interested Great Britain and Japan in that conference, was that we were about to get out of the position of hopeless inferiority in which we found ourselves.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. HALE. I yield for a question.

Mr. WALSH of Massachusetts. Is it not a fact that as a result of the London conference, if we are to be on an actual parity with other countries, it will be necessary to expend nearly a billion dollars?

Mr. HALE. I think it figures up somewhere between nine hundred million and a billion.

Mr. WALSH of Massachusetts. That is substantially true. How can the Senator argue now that we were not inferior, when the result of this conference means that in order that we may be put on a parity with other nations, we must expend that sum of money?

Mr. HALE. Will not the Senator allow me to develop my thought? A good part of the \$900,000,000 we are going to spend to keep up with the treaty figures would have to be spent anyway, whether we had a treaty or not, to replace ships of our Navy as they become obsolete.

Mr. WALSH of Massachusetts. That is, assuming that there were no repeal of the law authorizing the building of the 15 cruisers.

Mr. HALE. I have already shown, in a speech I made on the floor of the Senate, that whether we had a treaty or not we would spend about the same amount of money.

Mr. WALSH of Massachusetts. It seems to me the best way to determine whether we are inferior is to ask ourselves the question, How much now has Japan to expend in the future because of this treaty and how much has Great Britain to expend and how much has the United States to expend? And if you ask yourself that question—

Mr. HALE. Will not the Senator permit me to finish my line of thought?

Mr. WALSH of Massachusetts. Certainly.

Mr. HALE. As a matter of fact, the status quo which is talked about is not a sacred matter. As far as the Washington

conference was concerned, we did take the status quo, but we knew the ratio we expected to develop between this country, Great Britain, and Japan, and we had to work up to that ratio and find some reasons for doing so. We finally found that by taking ships in existence and ships building, and taking into consideration the amount of building that had been done on these ships, we could reach about the rate of 5-5-3, which was wanted.

At the time of the Geneva conference, held in 1927, we had practically no cruisers in existence. In fact, we had no modern cruisers except the 10 cruisers of the *Omaha* class. Nothing was said at that conference about any status quo. The idea at that time was that we were to reach an agreement as to cruisers which would give us a parity with Great Britain, and keep up the ratio of 5 to 3 with Japan. So, when we went into the London conference, the actual status quo had nothing to do with the matter. The other countries knew, as well as we knew, that we had eight 8-inch-gun cruisers which were coming into existence within a few months.

The Senator from Pennsylvania has talked about one 8-inch-gun cruiser that we had. Four more such cruisers have come into commission since the time of the London conference, and three others will come in within the next nine months. Those seven cruisers Japan and England knew about, and knew that they were really assets that we had.

They also knew of, and they were thoroughly familiar with, I am sure, the terms of the cruiser bill which we passed two years ago, and they knew that under the terms of that bill this country would actually have in existence 15 more of these 8-inch-gun cruisers by the close of the year 1934. When the arrangements were made there about what ships we were to have and what ships they were to have, these 23 cruisers which we were bound to have two years before the expiration of this treaty should certainly have been taken into account, and, of course, were taken into account.

The situation the Senator from Pennsylvania talks of has nothing to do with the real working out of the agreement in London. We did not happen to have the ships ready at the time, but we had the ships coming in, and they knew it, and we knew it.

I am surprised that the Senator from Massachusetts does not take this into consideration, as he very well knows, and must know, the circumstances in the case.

Of course, if the actual status quo is to be taken as a basis on which to make a treaty, no country that is not up on its status quo has any business going into a treaty.

Mr. WALSH of Massachusetts. Mr. President, if I were convinced, as evidently the Senator is, that our delegates, including the two Senators in this Chamber, went into that conference with the cards in their hands that we were stronger than Great Britain and Japan and came out with this kind of a treaty, I would stand on this floor, as the Senator is doing, to the bitter end, and contest it step by step, and I would also feel like bitterly indicting them for betrayal of a public trust in not bringing home something besides an order to spend a billion dollars more, which some responsible for this treaty would like to escape from doing.

Mr. HALE. I would not go that far, Mr. President. I think they had a difficult task to perform, and I am sorry they did not carry it through in a way that suits me better. But does not the Senator from Massachusetts know that under the cruiser bill we would have had to build those ships unless Congress changed the law?

Mr. WALSH of Massachusetts. I knew that just before the conference the President of the United States suspended the building of them.

Mr. HALE. He did suspend the building of some of them.

Mr. WALSH of Massachusetts. And I knew that there was a sentiment in this country in favor of legislation to prevent appropriation of the necessary money to build those cruisers. But I do know, notwithstanding what we had authorized, the delegates came back with a treaty asking us to build six more 6-inch-gun cruisers. Is not that right?

Mr. HALE. That is very true.

Mr. WALSH of Massachusetts. I am talking about reduction, and I am concerned about reduction, and I say that the net result of this treaty was not reduction but the net result of the three conferences to limit armament has been anything but a reduction in armament for the benefit of the people of the country.

Mr. HALE. Mr. President, I am not opposing the Senator's resolution.

Mr. WALSH of Massachusetts. I know the Senator is not.

Mr. HALE. I simply want the Senator to understand—

Mr. WALSH of Massachusetts. I am sure the Senator knows that my resolution is the only method by which, in view of the

ratification of this treaty, we will ever have a Navy approaching a basis of reasonable defense for our needs now are based on what we concede in this treaty to be their needs.

Mr. HALE. Does not the Senator agree with me that we were not in a hopeless condition of inferiority when we went over to the London conference?

Mr. WALSH of Massachusetts. The Senator knows the language that was used—

Mr. HALE. Yes.

Mr. WALSH of Massachusetts. One admiral said only recently, "Unless you have something in your hands, you can not get anything." The whole thing, like a thread of gold running through all this testimony, is that we could not get reduction, that we could not do anything with reduction, because we were inferior, and the best we could get was to stop the race for naval expansion by the European powers.

Mr. HALE. Mr. President, does not the Senator think we will carry out the terms of the cruiser bill if we do not have a treaty? It is the law; it can not be gotten away from unless Congress changes the law.

Mr. WALSH of Massachusetts. I will grant that for the sake of the argument, but I want to say to the Senator, and he knows it well, that there is a powerful propaganda in this country. We saw it against the cruiser bill, and the Senator knows it will be here every time anything comes up in the way of naval craft building.

Mr. HALE. I quite agree with the Senator.

Mr. WALSH of Massachusetts. It is intense and it is growing, and the sad part of it is that it is well meant. It is indulged in by honorable people, intelligent people. Some of the best people in my State believe in pacifism, and believe now honestly that we should ratify this treaty and not spend another dollar on the Navy. The Senator knows that. Am I correct?

Mr. HALE. I am quite aware of that, but, Mr. President—

Mr. WALSH of Massachusetts. I ask the Senator, Does not this treaty close the lips of the other extremists? Does it not fasten the lips of the militarists? Must they not stop hollering for a big navy, because there is a limit on it? And yet the door is wide open for pacifists to go on asking for a domestic reduction of naval armaments below the point of safety. I am not going to place my country in the position of being without the proper defense, to go to such extreme pacifism as to absolutely destroy what our delegates, conceding what many believe too much, have said is essential and necessary, the very naval craft named in this treaty. My friend and I are not far apart.

Mr. HALE. I do not think we are, but I disagree with the Senator in saying that there is a pacifist sentiment in this country that would be strong enough to change the law under which we have to build the cruisers. I do not believe that legislation of that sort would go through the Congress.

Mr. WALSH of Massachusetts. If President Coolidge, known to be a conservative man, and a man who favored strict economy, had not been behind the cruiser bill, it would not have gone through with the votes of this body and the other body, and the Senator knows that. Indeed, his requests as our absolute needs were drastically reduced. He sought many more than 15 cruisers.

Mr. HALE. But it did get the votes.

Mr. WALSH of Massachusetts. Because it had behind it a man who was the last man in the United States suspected of having extreme militaristic views, who was known as a man who was the watch dog of the Treasury, and the American people and the Senator and I felt that when the President went as far as he did in that recommendation, in view of the experience in Geneva, we ought to give him the cruisers. If the Senator or I brought in a bill to-morrow to build one more battleship, he would be laughed out of the Chamber by public sentiment.

Mr. HALE. Does the Senator think the pacifists of the country could change the law?

Mr. WALSH of Massachusetts. Did the Senator hear what the Senator from Utah [Mr. SMOOT], sitting just behind me, said?

Mr. SMOOT. They can not change the law, but they can have power enough to prevent appropriations to carry out the law, to the deterioration of the Navy.

Mr. HALE. Under the law the appropriations must be made, as the Senator very well knows.

Mr. SMOOT. The Senator from Utah does not know any such thing. The Senator knows that when anything is authorized, it depends entirely upon the appropriation whether the law is carried out or not. I can point to many cases where there has been an authorization and no appropriation to carry out the authorization.

Mr. HALE. The Senator is speaking of the ordinary authorization. I am speaking of an authorization with a special time limit provided. We had this question up before when the eight cruiser bill went through. That bill provided that eight cruisers should be started before July 1, 1927. When the Budget estimates should have been put in for the last three of those cruisers so as to build them within the time limit fixed in the law, no Budget estimate was made for that purpose. We thereupon had a bitter fight in Congress, but we prevailed and the proper appropriation was made. It was made because of the time limit in the law, which we carried out and which I believe we will always carry out in similar cases when a time limit is fixed in the law.

Mr. JONES. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Washington?

Mr. HALE. I yield.

Mr. JONES. I want to suggest that the Senator may believe that we will carry it out, but it has to be done by separate legislation and by separate enactment. If the appropriation is not made the work can not be carried on, and that is all there is to it.

Mr. HALE. The Senator knows very well that when we set a time limit in an appropriation, the time-limit provision usually prevails.

Mr. JONES. It is up to the Congress. Congress may change its will and its desire.

Mr. HALE. And may change the law?

Mr. JONES. I may refuse to make the appropriation without changing the law.

Mr. SMOOT. Absolutely.

Mr. HALE. I have not known that to be done in any matter of naval construction and I have no fear that it will be done in the future.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Gould	McKellar	Shortridge
Bingham	Greene	McNary	Smoot
Black	Hale	Metcalf	Stetwer
Blaine	Harris	Moses	Stephens
Borah	Harrison	Norris	Sullivan
Capper	Hastings	Oddie	Swanson
Caraway	Hatfield	Overman	Thomas, Idaho
Copeland	Hebert	Patterson	Thomas, Okla.
Couzens	Howell	Phipps	Townsend
Dale	Johnson	Pittman	Trammell
Deneen	Jones	Reed	Vandenberg
Fess	Kean	Robinson, Ark.	Wagner
George	Kendrick	Robinson, Ind.	Walcott
Gillett	Keya	Robison, Ky.	Walsh, Mass.
Glen	La Follette	Sheppard	Watson
Goldsborough	McCulloch	Shipstead	

The VICE PRESIDENT. Sixty-three Senators have answered to their names. A quorum is present.

Mr. REED. Mr. President, I want to ask about the parliamentary status of the resolution offered by the Senator from Massachusetts [Mr. WALSH]. I do not understand that unanimous consent was given for its being offered out of order.

The VICE PRESIDENT. Unanimous consent was given for it to be read, and it was ordered to be printed and lie on the table, and can be called up at any time by unanimous consent.

Mr. REED. Is its status that of having been introduced by unanimous consent? I inquire because I am quite certain that the Chair did not put the question as to whether unanimous consent was given for its introduction at this time out of regular order.

The VICE PRESIDENT. The Chair did not put the question. The Chair asked if there was objection to the reading of the resolution. No objection was heard, and the resolution was sent to the desk and read.

Mr. REED. I understand it was read and doubtless it will appear in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Then, after the speech of the Senator from Massachusetts had been concluded, the Chair announced that the resolution would be printed and lie on the table.

Mr. REED. I would like to object, if I am in time, to its introduction out of the regular order. I did not understand an opportunity for objection had been given before this time.

The VICE PRESIDENT. It could not be taken up except by unanimous consent.

Mr. REED. I understand it would have to lie over a day. I would like to object to its being introduced at this time. It is not a reservation. I will ask unanimous consent, in order to simplify the matter, that the resolution of the Senator from Massachusetts shall not be regarded as having been formally introduced and that merely what was actually done was to have

it read at the desk; that it will be printed in the CONGRESSIONAL RECORD; and that we can take up at a later time the question of its formal introduction.

Mr. WALSH of Massachusetts. Mr. President, I appreciate the parliamentary difficulty and I expect the Senate to do me the courtesy, at some time before a final vote is taken on the treaty, of granting consent for a vote upon my resolution. I do not care when it is done.

Mr. REED. That we will have to consider further.

The VICE PRESIDENT. What is the request of the Senator from Pennsylvania?

Mr. REED. That the resolution be shown in the RECORD as having been sent to the desk and read but not formally introduced out of order.

The VICE PRESIDENT. It was read for the information of the Senate.

Mr. JOHNSON. Mr. President, do I understand the Senator from Massachusetts consents to that?

Mr. WALSH of Massachusetts. I consented with the understanding that I shall have the opportunity, before the final vote is taken on the ratification of the treaty, to ask unanimous consent for a vote on my resolution. I do not care when we have the vote and I do not want to put Senators in the position of making a defense if they have not seen it or read about it or heard about it. I am not concerned about the formal technical position of the resolution.

Mr. JOHNSON. If the unanimous consent which is now asked by the Senator from Pennsylvania is accorded, then the resolution can never be introduced except by unanimous consent. Does the Senator understand that?

Mr. WALSH of Massachusetts. I do.

Mr. JOHNSON. It is up to the Senator from Massachusetts, then.

Mr. WALSH of Massachusetts. I understand it is now, by unanimous consent, before the Senate.

Mr. JOHNSON. Exactly; and has been introduced by unanimous consent?

Mr. WALSH of Massachusetts. Yes; exactly.

Mr. JOHNSON. So it is before the Senate. Now it is taken away from the Senate and can never come back and can never even be heard at all except by unanimous consent; that is, the Senator can not even introduce it hereafter except by unanimous consent. Does the Senator understand that?

Mr. WALSH of Massachusetts. I certainly do not understand that.

Mr. JOHNSON. That is exactly what the Senator from Pennsylvania is asking.

Mr. WALSH of Massachusetts. I certainly do not understand that the Senator from Pennsylvania is in any way trying by any method to prevent me from having at the proper time an opportunity to submit a request for a vote on my resolution.

Mr. REED. Of course, I do not mean to prevent the Senator from being in a position to ask unanimous consent for a vote on his resolution. I do not mean to prevent him from asking it, although I can not undertake now to agree to the vote.

Mr. McKELLAR. Mr. President, in order to shorten the matter—

Mr. REED. Mr. President, I withdraw my request.

Mr. McKELLAR. In order to shorten the matter, I object.

The VICE PRESIDENT. The objection comes too late. The Senator from Pennsylvania withdrew his request. The resolution has been ordered to be printed and to lie on the table.

Mr. JOHNSON. Mr. President, in glancing through this treaty at odd moments, I find constantly and continually new objections. I find singular phrases and peculiar words that, when scrutinized with some degree of care, indicate that we ought to move with extreme caution and with the utmost wisdom in determining our action respecting it.

I have referred in the past to the replacement clauses. If Senators will pay any attention to the provisions of the treaty in relation to the replacement clauses, they will find that in every instance they militate against the United States, and in every instance the construction of them is to the advantage and benefit of the other parties to the contract—Great Britain and Japan. So it is with numerous other provisions as well; but rather a singular one struck me in the examination of the treaty night before last, and to that I wish to address myself for a brief period.

If any in this body are interested in the treaty, I call attention to section 1 of Annex II, which is found on page 17. That section provides:

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of warlike service within six months of the date of the completion of its successor, or of the first of its successors if there are more than one. If, however, the com-

pletion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within four and a half years from the date of laying the keel of the new vessel, or of the first of the new vessels; but should the new vessel, or any of the new vessels, be a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement, this period is reduced to three and a half years.

In conjunction with that particular provision of the treaty I read from Part V, on page 31, this section:

Unless the high contracting parties should agree otherwise by reason of a more general agreement limiting naval armaments to which they all become parties, they shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present treaty, it being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to.

In view, Mr. President, of the special complaints which the Senator from Pennsylvania has made as to the American status quo which confronted our delegation at the beginning of the London conference, it is worthy of particular notice how carefully the other countries have safeguarded their status quo position for the conference of 1935, and also their position in December, 1936, which, of course, would be beneficial to them in the event of the treaty not being perpetuated by the conference of 1935 along substantially the same lines as those on which it is now drawn.

On yesterday I went to considerable pains—perhaps uselessly—to attempt to make clear the point that, while the other nations had thoroughly safeguarded their position, our delegation had failed to do so, and under the normal operation of this treaty, when the conference of 1935 shall convene, we will find ourselves in a substantially worse position respecting the status quo of auxiliary tonnage than the corresponding position in which the Senator from Pennsylvania and our other delegates at London found themselves.

On yesterday I gave the relative status quo positions for this character of tonnage in 1930 and 1935, which were for 1930:

For the United States.....	10
For Great Britain.....	11
For Japan.....	7.2

This compares with a status quo position in 1935, under a normal operation of this treaty, of—

For the United States.....	10
For Great Britain.....	12
For Japan.....	8

I called attention yesterday to a number of reasons for this, and since that time there has come to my attention still further evidence of the careful way in which the other countries have provided for an advantageous position when it comes to bargaining in 1935, at which time, it will be remembered, it is, by Article XXIII, Part V—

Understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to.

If we turn to the provision which I quoted in the beginning of my remarks, Annex 2, section 1, paragraph (a), on page 17, we find that four and a half years are allowed between laying down the keel of a replacement cruiser and the final compulsory scrapping of the old ship which the new vessel is earmarked to replace. The normal time required for the construction of a cruiser, from the time of laying down of her keel, is about two and a half years, and therefore the allowance of four and a half years from that date before it is mandatory to scrap the older ship leaves a margin of about two years, during all of which time both ships may be in existence in a nearly completed state. Thus both ships are really available over a period of two years for warlike service should that be required. They are also available to be counted in establishing a status quo should such a claim be advanced.

In contravention to this, it might be argued that the process of scrapping may require considerable work and time. There are various methods permitted for scrapping, such as the breaking up of the ship, after the laborious removal of her guns and machinery. But it is also permitted that the ship may be scrapped by the method of sinking, and this requires but a moment, so that it is possible to postpone all preparations for scrapping until the very last instant of the time allowance.

Under the provisions of this paragraph of the treaty, which I am discussing, in the case of a replacement ship laid down as early as 1931, both the old ship and the new one may be actually in existence and in substantial readiness for service and to count in the status quo for 1935.

The same double-tonnage status may apply also at the very end of the treaty, on December 31, 1936, in the case of replacements laid down as early as July 1, 1932.

Theoretically, perhaps, all nations are benefited equally under this provision, but actually this is not the case. As I pointed out yesterday, the effect of lowering by four years the normal age of cruisers which happened to be laid down before the 1st of January, 1920, is to advance the time when Great Britain can start replacements for 172,000 tons of cruisers. For Japan this figure is 32,000, and for the United States it is 14,000.

As pointed out previously, this question of the interpretation of section 1, paragraph (a), and its probable effect has only come to my notice since yesterday. It serves as an example of the need of examining every article of this complicated treaty with great care, in order to ascertain the practical effect of seemingly unimportant minor provisions which are often found to have obscure meanings of great import, especially when brought into relation with other sections containing similar obscure or hidden meanings.

This illustration serves to give great force to the remarks of the distinguished Senator from New Hampshire [Mr. Moses] as to the indecent haste with which the ratification of this treaty is being pressed. There is no occasion for it. The matter is of grave national importance sufficient to justify the most careful study by the Senate under such conditions of leisure as may be necessary in order to be certain that the treaty in all its ramifications, and especially in regard to its major effect, shall be thoroughly understood, at least by a part of the Senate, which presumably occupies such a responsible position to the country respecting the ratification of treaties.

Another example of the need for more careful consideration and of the probable necessity for the adoption of a reservation to this treaty is the escalator clause. The Senator from Pennsylvania passes this by with scant consideration, maintaining that the only probable effect of the escalator clause would be to permit Great Britain to build more destroyers in the event of France laying down more submarines. Well, what is to be the action of the United States in the event that Great Britain should lay down more destroyers than is contained in her quota under the treaty? Is the United States also limited to the laying down of destroyers in order to meet an increased British destroyer tonnage laid down to meet French submarine tonnage? Should we not reserve the right, clearly expressed, to lay down cruiser tonnage if we choose, in order to meet an increased British destroyer tonnage?

Mr. President, I do not concede the premises of the Senator from Pennsylvania that the only probable effect of the escalator clause will be that Great Britain will lay down an excess of destroyers above the treaty quota. The probabilities respecting France and Italy in relation to Great Britain apply not only to submarines.

The French and the Italians both have programs of destroyers which, combined, seem likely to exceed the total British destroyer tonnage. Should this situation arise to threaten the British one-power standard, how will Great Britain meet this destroyer menace? She may choose not to meet it by laying down submarines but by building more 6-inch-gun cruisers. What, then, are to be our rights under the escalator clause? Are we to be limited to the laying down of 6-inch-gun cruisers to match the additional British 6-inch-gun cruisers? Certainly this would be a very unfortunate result, and unless we declare our position at this time we may be confronted with embarrassments in the future. We do not want any more 6-inch-gun cruisers; and the only equitable way for the United States to meet a further increase in British 6-inch-gun cruisers is to lay down an equivalent tonnage in American 8-inch-gun cruisers.

There is a still further possibility respecting the operation of the escalator clause. Both France and Italy have important programs for additional cruiser tonnage; and this tonnage is projected to be of the subcategory A, or the 10,000-ton 8-inch-gun type. The combined French and Italian cruisers already existing of this type, counting ships both built and building, aggregate 15 ships, which corresponds precisely to the number of ships of this type which Great Britain is allowed under this treaty.

Obviously, therefore, British policy will require *them* to lay down more of the 8-inch-gun cruisers in the event of France and Italy adding to their forces in this category by even a very few units. It is the opinion of many who are familiar with this situation that there is a greater probability of Great Britain's having to build more 8-inch-gun cruisers in consequence of French and Italian programs than that Great Britain will want to build more destroyers in consequence of French and Italian submarines.

In any case, it is obviously the duty of the Senate to study this article of the treaty, and, by reservations or otherwise, thoroughly to safeguard the interests of the United States in the various complications which may arise under it. If for no other reason we should do this to anticipate the possibility of international misunderstanding and its consequent detrimental effect upon international good will. We should state in advance what our position is, so that the future will not have in store unnecessary international friction over the interpretation of the treaty.

The need for this is amply illustrated by the misunderstanding of our rights under the Washington treaty respecting the elevation of the guns of our battleships, and the incorporation of other features of modernization in them. I think you will all agree with me that the results of this misunderstanding were most unfortunate. We maintained that we had the right, and the British Government entered a formal protest. After careful consideration of the matter the Secretary of State, who had been at the head of the American delegation which negotiated the treaty, decided what our rights were under it. I am informed that he was unable to make his decision on the basis of the treaty itself, and that even his own records and data were not conclusive. I understand that he had to consult the private notebook of a specialist in international law, who had served on the American delegation, and that it was upon the basis of this private notebook that his decision was made, maintaining the right of the United States to elevate the guns of our battleships. Notwithstanding, the British continued their attitude, as represented by their protest against such an American right, even up to the time of the conference of 1930, and it was only there that the British conceded our right; and their concession has been heralded by treaty proponents as one of their great accomplishments at London.

Meantime there have been many provocative articles appearing in both the British and American press over this controversy, tending to disturb the good will between the two countries. All of this might have been avoided by a more careful wording of the Washington treaty or by a more careful study of its contents by the Senate before ratification, together with a proper reservation covering the point.

Mr. President, I desire to make a parliamentary inquiry, if you please.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON. In the consideration of this treaty, as I understand the rule—and I beg the Chair's confirmation if I am correct or the correction of me if I am inaccurate—the resolution of ratification can not be considered to-day, but of necessity, unless by unanimous consent, must go over until Monday.

The VICE PRESIDENT. The rule provides—and the Chair thinks, perhaps, the Senator from Idaho and the Senator from Pennsylvania should listen to this:

The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless, by unanimous consent, the Senate determine otherwise.

Mr. JOHNSON. I will state to Senators that I made a parliamentary inquiry of the Chair as to whether a resolution of ratification could be taken up to-day or whether it had to be presented to-day and then lie over until Monday, under the rule, unless by unanimous consent.

Mr. REED. Mr. President, I understood that a resolution of ratification was prepared and presented with the report of the committee, and that it is now on the clerk's desk.

The VICE PRESIDENT. The Chair would hold that that can not be done. It can be done only after the amendments are made to the treaty, because the resolution must include whatever amendments are made; and the rule provides that after the treaty has been presented article by article and the amendments made, then the resolution shall be submitted on a subsequent day, except by unanimous consent.

Mr. REED. In other words, if we should complete the consideration of the treaty article by article to-day, then the resolution would be prepared and would have to lie over for a legislative day.

Mr. JOHNSON. That is exactly my inquiry.

Mr. REED. Which would throw it over until Monday.

Mr. JOHNSON. Exactly.

Mr. REED. That, I understand, is the ruling of the Chair.

Mr. JOHNSON. That is my understanding.

Mr. MOSES. And it would be debatable, Mr. President.

Mr. JOHNSON. Oh, yes; the resolution of ratification would be debatable.

The VICE PRESIDENT. Certainly.

Mr. JOHNSON. So that the resolution of ratification under any circumstances, as I follow it, would go over until Monday, and could only be considered on Monday.

Mr. REED. Except by unanimous consent.

Mr. JOHNSON. Except by unanimous consent.

Mr. WATSON. Mr. President, will the Senator pardon me for another parliamentary inquiry?

Mr. JOHNSON. I yield.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. WATSON. Does the Chair hold that it is necessary to read each article of the treaty?

The VICE PRESIDENT. No. The Chair stated that the question of amending each article would be submitted. The Chair will submit, as he has already, the question on article 1. Article 1 is open to amendment. If no amendment is proposed to article 1, then articles 2 and 3 are open to amendment.

Mr. JOHNSON. Exactly. Now, may I make a further inquiry? Is a distinction made between amendments to articles and reservations to articles?

Mr. BORAH. Yes; there is a distinction.

The VICE PRESIDENT. The Chair thinks that question should be settled. Of course, treaties have been taken up in both ways. The present occupant of the chair believes that the treaty should first be considered article by article for amendment, and that if no amendment is made, then the resolution to consent and advise to the ratification of the treaty should be presented, and that the reservations should be made to the resolution.

That is the opinion of the present occupant of the chair, although the Chair remembers that upon some other occasions reservations have been considered in Committee of the Whole as articles have been reached. The present occupant of the chair, however, thinks that a reservation is simply an interpretation, and therefore should be made to the resolution after it is proposed.

Mr. BORAH. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Idaho?

Mr. JOHNSON. I yield.

Mr. BORAH. As I understand the practice, it is that we take up the treaty section by section with reference to amendments.

The VICE PRESIDENT. That is correct.

Mr. BORAH. After the amendments are disposed of, then we propose reservations, which reservations are to be incorporated in the resolution of ratification, and the amendments come first in considering the treaty section by section; then the resolution of ratification.

Mr. JOHNSON. I have no doubt of that; but it strikes me that it is rather putting the cart before the horse to go through the treaty for amendments and then attach our reservations to the resolution of ratification, if they are peculiarly pertinent to certain specific items of the treaty. It is immaterial to me what course is pursued; but I submit that a more orderly proceeding, and one that could better be presented, would be, when we come to a particular article, if there is a reservation made as to that particular article, to dispose of it at that time.

Mr. BORAH. Mr. President, as I understand, a reservation must run to the entire treaty. While it may refer to a particular article or affect a particular article, it is a reservation to the treaty.

Mr. JOHNSON. That is quite so, of course. There is no denial of that fact. A reservation runs to the treaty, but, indeed, it is applicable to a particular part of the treaty. So it would seem to me the more intelligible and the easier course to take it up when the particular article is reached.

Mr. BORAH. I do not know that there is any particular objection to it.

The VICE PRESIDENT. That could be done by unanimous consent.

Mr. JOHNSON. Yes, sir.

Now, Mr. President, I desire to offer a reservation.

The VICE PRESIDENT. The Senator from California proposes a reservation, which will be read for the information of the Senate.

The legislative clerk read as follows:

That this treaty shall be null and void if and when the United States enters the League of Nations by the ratification of its covenant or allies itself with the League of Nations by adhering to the protocol of the International Court of Justice of the League of Nations, or in any other way accepts membership in the League of Nations or any of its subsidiary organizations.

The VICE PRESIDENT. The reservation will be printed and lie on the table.

Mr. JOHNSON. Mr. President, I offer the following reservation.

The VICE PRESIDENT. Let it be read.

The legislative clerk read as follows:

Reservation No. —, Article XXI

If the provisions of Article XXI shall be invoked by either of the other contracting parties during the term of said treaty, and thereunder either constructs additional tonnage within any of the categories mentioned in said treaty, the United States shall be entitled to construct such vessels as the United States may deem appropriate within the limits of the tonnage specified by the party invoking said article 21.

The VICE PRESIDENT. The reservation will be printed and lie on the table.

The treaty is in Committee of the Whole, and the first article is open to amendment.

Mr. JOHNSON. Mr. President, in order that we may follow these articles intelligently, I am going to ask that the articles be read.

The VICE PRESIDENT. The clerk will read the first article.

The legislative clerk read as follows:

PART I
ARTICLE I

The high contracting parties agree not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931–1936, inclusive, as provided in Chapter II, Part III of the treaty for the limitation of naval armament signed between them at Washington on the 6th February, 1922, and referred to in the present treaty as the Washington treaty.

This provision is without prejudice to the disposition relating to the replacement of ships accidentally lost or destroyed contained in Chapter II, Part III, Section I, paragraph (c) of the said treaty.

France and Italy may, however, build the replacement tonnage which they were entitled to lay down in 1927 and 1929 in accordance with the provisions of the said treaty.

The VICE PRESIDENT. The article is open to amendment. If no amendment be proposed, the clerk will read the second article.

The legislative clerk read as follows:

ARTICLE II

1. The United States, the United Kingdom of Great Britain and Northern Ireland, and Japan shall dispose of the following capital ships as provided in this article:

United States: *Florida, Utah, Arkansas or Wyoming.*

United Kingdom: *Benbow, Iron Duke, Marlborough, Emperor of India, Tiger.*

Japan: *Hiyel.*

(a) Subject to the provisions of subparagraph (b), the above ships, unless converted to target use exclusively in accordance with chapter 2, part 2, paragraph 2 (c) of the Washington treaty, shall be scrapped in the following manner:

One of the ships to be scrapped by the United States, and two of those to be scrapped by the United Kingdom shall be rendered unfit for war-like service, in accordance with chapter 2, part 2, paragraph 3 (b) of the Washington treaty, within 12 months from the coming into force of the present treaty. These ships shall be finally scrapped, in accordance with paragraph 2 (a) or (b) of the said part 2, within 24 months from the said coming into force. In the case of the second of the ships to be scrapped by the United States, and of the third and fourth of the ships to be scrapped by the United Kingdom, the said period shall be 18 and 30 months, respectively, from the coming into force of the present treaty.

(b) Of the ships to be disposed of under this article, the following may be retained for training purposes:

By the United States: *Arkansas or Wyoming.*

By the United Kingdom: *Iron Duke.*

By Japan: *Hiyel.*

These ships shall be reduced to the condition prescribed in section 5 of annex 2 to part 2 of the present treaty. The work of reducing these vessels to the required condition shall begin, in the case of the United States and the United Kingdom, within 12 months, and in the case of Japan within 18 months from the coming into force of the present treaty; the work shall be completed within six months of the expiration of the above-mentioned periods.

Any of these ships which are not retained for training purposes shall be rendered unfit for war-like service within 18 months, and finally scrapped within 30 months of the coming into force of the present treaty.

2. Subject to any disposal of capital ships which might be necessitated, in accordance with the Washington treaty, by the building by France or Italy of the replacement tonnage referred to in Article I of the present treaty, all existing capital ships mentioned in chapter 2, part 3, section 2 of the Washington treaty and not designated above to be disposed of may be retained during the term of the present treaty.

3. The right of replacement is not lost by delay in laying down replacement tonnage, and the old vessel may be retained until replaced even though due for scrapping under chapter 2, part 3, section 2 of the Washington treaty.

Mr. COPELAND. Mr. President, may I ask the Senator from Pennsylvania—if he will refer to page 7, the first paragraph of the second column—why was Japan given 18 months?

Mr. REED. As against 12 months given Great Britain and ourselves?

Mr. COPELAND. Yes.

Mr. REED. There was some special, technical reason which I do not recall at the moment, but which our Navy experts who had charge of the scrapping provisions said was satisfactory to them. It did not seem to us to be important.

Mr. COPELAND. The same thing happens regarding the conversion of battleships. Japan is allowed 24 months, as against 18 months given the United States and Great Britain. Would the answer be the same as to that?

Mr. REED. I think that is incorrect, because the second paragraph on page 7 fixes the same limitation of time for each nation.

Mr. COPELAND. When these battleships are retained for training purposes, and after demilitarization in part, is any account taken of the effect of such retention upon the battleship ratio?

Mr. REED. No; because of the rules, which the Senator will find on page 21, for training vessels. They begin there, and provide for the removal of the main armament, most of the turret-operating machinery, removal of all except training ammunition, removal of conning tower and side armor, removal of all torpedo tubes, removal of all boilers in excess of those required to maintain 18 knots speed. Furthermore, there is the provision which the Senator will find on page 23 that vessels so retained shall never be used for combatant purposes. The experts felt that that was quite effective in removing them from the combatant list.

Mr. COPELAND. Does the Senator believe, however, that even though they are demilitarized to the extent provided, they no longer constitute an element of battleship strength?

Mr. REED. I do not think they do. It would take years to get them back into shape, and even if a nation were false to its promise it would take literally years to put such vessels back into shape for combatant purposes.

Mr. COPELAND. Of course, that would be the privilege of a nation in the event of war, would it not?

Mr. REED. No; because it would still be under covenant to some of the countries which were parties to the treaty. This part of the treaty is joined in by all five nations, and it is scarcely conceivable that we would be at war with all the other four.

Mr. COPELAND. The point the Senator makes, then, is that this clause would not become null and void, because, even though two of the parties were engaged in war, there would still be obligation to the other parties to the treaty?

Mr. REED. Yes.

Mr. COPELAND. I get the Senator's point. If these demilitarized battleships are included in the battleship tonnage, the ratios would be changed, would they not?

Mr. REED. That is pretty difficult to say. The battleships which under the treaty will be retained for target purposes are mere hulks, and every time they are fired at they become more worthless, and if we included such vessels as those, of course the ratio would be somewhat upset. Each of the three nations has a target ship, each of them has a training ship, but we felt very sure, and all the experts felt sure—there was no division of opinion among them—that each of us was perfectly safe under these provisions, that the demilitarization was so effective that there was no cause for considering those vessels again.

Mr. COPELAND. I thank the Senator for his explanation. I want to be quite sure about the answer the Senator made to my question as to why Japan was given more time than the United States and Great Britain. I took his answer to be that it was because the experts said that for some reason that was advisable.

Mr. REED. Some reason which I do not recall. I do not know whether the Senator from Arkansas recalls it or not.

Mr. COPELAND. May I ask the Senator from Arkansas?

Mr. ROBINSON of Arkansas. Mr. President, I do not recall just at this moment. I may refresh my memory about it.

Mr. COPELAND. I want to ask one other question relating to the last paragraph on page 7.

Mr. ROBINSON of Arkansas. The experts said it was not important.

Mr. COPELAND. I assume that is a sufficient answer. Referring to the last paragraph on page 7, I read:

The right of replacement is not lost by delay in laying down replacement tonnage, and the old vessel may be retained until replaced even though due for scrapping.

In the case of a vessel over age being retained, and with the replacement vessel not laid down, would the tonnage of the over-age ship count in establishing the status quo basis in 1935?

Mr. REED. Yes, Mr. President, it would. That was because under the Washington treaty there was some doubt as to whether the right of replacement was lost. If a nation retained an old ship beyond the age limit, obviously it made for economy for everybody, and did not menace the other nations, if the old ship were retained and the replacement were not built. We wanted to encourage that all we could.

Mr. COPELAND. Let me introduce another factor. Suppose the replacement ship were building but not completed, and her mate were obsolete. In that event, would the tonnage of both the obsolete and the replacement ship count in the status quo calculation in 1935?

Mr. REED. No; because the treaty provides distinctly that the obsolete ship must be scrapped as soon as the replacement ship comes into completion.

Mr. COPELAND. I am supposing another condition, where the replacement ship has not yet come into commission, but where she is practically constructed, while she is on the way to construction; in that event what would happen? We would then have a replacement ship almost finished, and the mate while obsolete still in existence. Would both of them be counted in the status quo calculation in 1935?

Mr. REED. No, Mr. President, they would not. They are considered to represent the same tonnage. They can not both be in commission at the same time. Again, everyone who was expert seemed to regard that as satisfactory.

Mr. COPELAND. I assume that it is.

Mr. REED. In answer to the Senator's first question, I find a note here by one of the experts about that 18-month period given to Japan for scrapping her battle cruisers. His note is:

This puts the *Hiei* out of the battle fleet at the same time as the last of those scrapped from our fleet and the British fleet.

He does not go into any further detail than that, but apparently it was done to equalize the conditions between the three countries.

Mr. COPELAND. I thank the Senator for his answer. Will the Senator briefly explain to us, if it is a proper question to ask, what will be the rules for establishing the status quo in 1935?

Mr. REED. A very free exchange by all five countries, such as we had at London, very complete information given by each country to the other four of the exact status of its building program, a list of the ships in commission with their guns and their speed, their age, and all the other statistics which are inquired about. Each country will have lists of the other countries' fleets. There will not be any secrecy about it. We will all know exactly how we stand.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from New York yield?

Mr. COPELAND. I yield.

Mr. ROBINSON of Arkansas. There is no technical rule, as I understand it, nor is there any definite rule, but usually ships built and building are given prominent consideration in determining just what is the status quo.

Mr. REED. Exactly.

Mr. COPELAND. I would like to inquire, if the question is a proper one, whether there was discussion of the general question of the status quo at the end of the treaty period.

Mr. REED. There was much discussion within our delegation. There was not much discussion with the other delegations. Presumably, they talked it over, too.

Mr. COPELAND. I suppose it would be advantageous to all concerned to have a rather indefinite status as regards that.

Mr. REED. Oh, no. It is very easy to foretell what it will be, provided the parliaments of the three countries appropriate for the building of those ships which we have a right to build.

Mr. COPELAND. I suppose that is what the Senator from Massachusetts has in mind.

Mr. REED. Yes; that is what the Senator from Massachusetts has in mind and that is what the Senator from Wisconsin [Mr. BLAINE] has in mind in saying he would resist appropriations. If we build up to the treaty status and make the appropriations suggested by the treaty, we will have in 1935, built and building, the entire tonnage which we are permitted under the treaty.

Mr. COPELAND. I assume the Senator and I agree that it will be desirable to have that tonnage?

Mr. REED. I think so. I hope for further reduction in the next conference, but I feel sure that this is probably our last chance for many, many years to come to get real parity. If we do not take advantage of it we do not deserve to have it.

Mr. COPELAND. Are we not at a disadvantage in any further treaty making if we do not have that parity—that is, if we fail to build up to it?

Mr. REED. Obviously so, because unless we do build up to the limit given to us, it is pretty good evidence to other countries that they need not be afraid of us in competition in building.

Mr. COPELAND. It would simply mean that we have agreed to what we might call a blue print of a treaty, and under the terms of that treaty the other countries could go ahead with their building program, and we could not budge, and yet we would be lagging behind.

Mr. REED. Exactly.

Mr. COPELAND. Does the Senator agree with me that it would be most desirable, when we enter upon another treaty, to have that full complement on our part so we could have more influence in dealing with the situation?

Mr. REED. Yes. We know the other people will have their full complements, because they have them now.

Mr. COPELAND. Is it right to say in the long run, not looking at this year or the period of the treaty, but looking many years ahead, that by building up to the full measure of the treaty we would, in the last analysis, be promoting the ultimate peace of the world?

Mr. REED. I think so.

Mr. COPELAND. I agree fully with the Senator in that matter.

Mr. ROBINSON of Arkansas. We would be establishing a condition under which it would be easier to secure future adjustments and readjustments than it would be without that condition.

Mr. WALSH of Massachusetts. I am glad to hear the Senator from Arkansas make that statement.

Mr. ROBINSON of Arkansas. I have no doubt whatever about it.

Mr. WALSH of Massachusetts. In other words, we should have actual parity as well as paper parity.

Mr. COPELAND. I think so. I can not question that at all.

Mr. REED. Will the Senator permit me to make further answer to his question about the Japanese having 18 months to scrap the *Hiei*?

Mr. COPELAND. Certainly.

Mr. REED. If the Senator will look at the preceding column he will see that one of the ships to be scrapped by the United States and two of those to be scrapped by the United Kingdom shall be scrapped within 12 months, and the balance shall be scrapped within 18 months. That was the reason why the *Hiei* was not required to be put in a training position or demilitarized for 18 months. It is simply to put them parallel with the second and third ships that we are to dispose of and the third and fourth ships Great Britain is to dispose of.

Mr. COPELAND. I am glad to have the Senator say that, because there might be a suspicion that there was some secret understanding about why that was done. The explanation the Senator has made is conclusive that there was a technical reason.

Mr. REED. I want to reiterate once more that, so far as I know, there is absolutely no secret understanding of any sort or description. The whole bargain that was made at London was reduced to writing in the treaty that is before the Senate.

Mr. ROBINSON of Arkansas. Mr. President—

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from New York yield to the Senator from Arkansas?

Mr. COPELAND. Certainly.

Mr. ROBINSON of Arkansas. The provision to which the Senator from New York is referring, having relation to the scrapping of the *Hiei*, was prepared by the experts themselves.

Mr. WALSH of Massachusetts. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. COPELAND. I yield.

Mr. WALSH of Massachusetts. Of course, the Senator is discussing the aspects of the question which I opened up this morning.

Mr. COPELAND. Yes.

Mr. WALSH of Massachusetts. In view of the fact that we are going to ratify the treaty, in view of the fact that there is an apparent majority which is going to ratify the treaty, the Senate should not merely ratify a treaty which on paper provides for parity about which there is a difference of opinion,

but the Senate should express to the country that it intends to live up to the terms of that treaty and establish actual parity.

Mr. COPELAND. I agree fully with the Senator. To my mind one of the unpleasant things associated with this debate is the misunderstanding of the country. The name of this treaty is so misleading: "Limitation and reduction of naval armament." It is not so. That does not describe the document. It is not a provision making for limitation and reduction of naval armament unless we take the interpretation which has just now been put upon it by the Senator from Pennsylvania and the Senator from Arkansas both that we ought for the sake of ultimate limitation of armament to build up to the treaty. But the people should know what it means. If the treaty is put into effect, it is going to cost a billion dollars in taxes on our country.

Mr. WALSH of Massachusetts. Has the Senator any doubt about the fact that we will never get one dollar appropriated to build up the naval craft necessary and necessarily named in the treaty providing parity unless there is an earnest purpose and desire on the part of those who vote for the treaty actually to establish a parity?

Mr. COPELAND. I think that is inevitable.

Mr. WALSH of Massachusetts. The Senator will recall, I think, that we never would have been able to have gotten the bill for the 15 cruisers through the Congress if it had not been for the personal influence of the then Executive.

Mr. COPELAND. I think that is true.

Mr. WALSH of Massachusetts. Without his support we would have gone into this conference without even provisions for the authorization of the building of those cruisers.

Mr. COPELAND. I think that is true.

Mr. WALSH of Massachusetts. Hand in hand with the declaration in the treaty that we legalize or that we authorize or that we request other nations to have a treaty of definite facts and because we do that we must have one of definite facts ourselves, it seems to me we can not escape declaring to the American people our purpose and our intention to have national actual parity.

Mr. ROBINSON of Arkansas. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Arkansas?

Mr. COPELAND. Certainly.

Mr. ROBINSON of Arkansas. Of course, Senators understand that the appropriation of the funds necessary to carry out the treaty program is a function of the Congress as a whole and not a separate function of the Senate. Any declaration on the subject by the Senate at this or any other time would be merely illustrative or definitive of the present position of Senators. I have said from the beginning that, in my judgment, the correct policy would be to execute the provisions of the treaty and that, in consequence of that, reductions in some of the categories will take place and limitations in all of them will be carried into effect, and future arrangements respecting the navies of the signatories to the treaty will be much more easily accomplished.

With respect to the carrying out of the program perhaps there should be one exception, namely, that relating to destroyers. I do not know of any reason why the United States Government should hastily build the tonnage in destroyers as contemplated in the treaty. If we should do that, we would have a replacement program in the future that would be just as difficult as it is now with respect to destroyers.

Mr. WALSH of Massachusetts. I am in accord with the Senator's statement.

Mr. ROBINSON of Arkansas. I merely make that statement in order that my views on the matter to be considered may be fully understood.

Reference has been frequently made during the course of the debate by those who oppose the treaty, and that means those who favor the upbuilding of the United States Navy and the maintenance of liberal standards in all categories, to the fact that considerable expenditures will be required in order to carry out the treaty. I do not wish to consume the very precious time of the Senate in a prolonged discussion of that subject at this moment, but I do feel it pertinent to point out the fact that under the policy which has prevailed during recent years our replacement program, if we have any, has become quite confused. We have not any except the one recently adopted, and that is not a replacement program, but a construction program relating to 8-inch-gun cruisers.

The vice in my judgment in the argument coming from those who believe in liberal provisions, if not abundant provisions, for the Navy is that it does not take into consideration the sums that would be required if we had no limitation. There is no one here who could tell what would be the policy of future

Congresses with respect to making appropriations for naval construction, but I feel warranted in suggesting at this point that if the treaty should not be ratified and competition should be resumed and should gather that volume which I think all of us, without regard to our views concerning the issues now before the Senate, would believe inevitable, the expenditures within a comparable period which would be necessary if there were no treaty of limitation would far exceed anything that could be contemplated by the terms of the arrangement now under consideration.

In addition to that, instead of securing, as we believe the treaty does secure on the whole, a well-proportioned navy, a navy with tonnages fairly distributed in all categories and distributed with due regard to the best interests of the United States, we would have in all probability just what we have now—a badly disproportioned fleet.

Mr. JOHNSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from California?

Mr. COPELAND. Certainly.

Mr. JOHNSON. I can not permit to go unchallenged the statement of the Senator from Arkansas in reference to expenses. That matter I have gone into at length. I do not desire, when the treaty is being read for amendments, to occupy the time of the Senate in a new address.

I undertake to say, however, sir, that the cost of building up under this treaty, if we shall build up under it—and it will be of no value if we shall not do so—will be very much larger than any cost that will accrue to us in carrying out any sort of American plan. That has been demonstrated again and again.

Mr. ROBSION of Kentucky and Mr. HALE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New York yield; and if so, to whom?

Mr. COPELAND. If the Senator from Maine will wait a moment, I will yield to the Senator from Kentucky.

Mr. HALE. Very well.

Mr. ROBSION of Kentucky. I merely wish to present for the RECORD two editorials, one from the Louisville (Ky.) Herald-Post of July 16, 1930, and another from the Louisville (Ky.) Courier-Journal of July 18, 1930, relative to the treaty.

The PRESIDING OFFICER. Without objection, the editorials presented by the Senator from Kentucky will be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Herald-Post, Louisville, Ky., July 16, 1930]

"Our country! In her intercourse with foreign nations may she always be in the right; but our country, right or wrong."—Stephen Decatur.)

QUORUM!

What is a quorum?

The dictionary tells us that it's perfectly good Latin for all that present-day use derives from its appearance in old documents written in what was known as law Latin.

In modern practice it signifies such a number of a given body as may be required for the legal transaction of business.

What follows is, of course, that where no such number is on hand at a given moment and official notice is taken of the shortage, no business can be proceeded with.

The United States Senate offers the immediate and more or less beautiful example.

Objectors, obstructionists, mischief makers at large and in particular find it convenient to be absent from a special session convened for no less a purpose than that of cementing good relations among the people and fostering peace in the world by consenting to ratify the naval pact drawn up and signed in London.

The pretense, which does not deceive its proponents, is that America has allowed herself to be led to the slaughter, that Great Britain has made a fool of her, and that such innocents as Ambassadors Dawes and Morrow, Senators ROBINSON of Arkansas and REED of Pennsylvania, have been honeyfugled and hoodwinked and the deuce knows what all. It is even hinted that they were parties to certain private and unwelcome pacts which endanger American independence and compel American partnership in European quarrels.

Oddly enough, precisely similar complaints are being heard at London and Tokyo.

Both capitals are bitter against American sharp trading.

Now, the truth is that all have been earnestly seeking to do justice all around and the best proof that some measure of success has been attained is this very sensitiveness in all the capitals.

But at Washington there is something which London and Tokyo do not share.

At Washington there is politics.

Politics holds that to annoy and harass the President by delay in a matter of first-rate importance is commendable and politics doesn't care the least in the world whether such action is or is not patriotic.

Politics discovers in the quorum a plaything ready to its hand and is rather disposed to chide the President because he does not, by force, if need be, bring Senators to the daily roll call. That it should be their pleasure, as well as their duty, to come without pressure is something it would be waste of time to urge.

And so the keeping of a quorum all but transcends in importance the vote on the treaty itself, and does eclipse a debate which is so evidently for the record and not to carry conviction and win over votes.

For in the end the treaty will be passed and Mr. Hoover will have another victory to his credit.

And then perhaps some Senator on his way homeward may recall those lines of Virgil, which tell "quorum pars magna fui"—of which I was a great part.

[From the Courier-Journal, Louisville, Friday, July 18, 1930]

M'KELLAR'S TRIPLE ALLIANCE

The simulated naïveté of Senator M'KELLAR, of Tennessee, in assuming that a treaty is subject to amendment like a House bill could be forgiven; but not so the fallacy that a 3-power pact to guarantee the freedom of the seas would promote peace.

Mr. M'KELLAR attempted to place a "freedom of the seas" rider on the London treaty and submitted a reservation in the nature of an implied threat that unless Great Britain dismantled its naval bases in this hemisphere the race for naval supremacy was on. All this in the name of peace and good will. No use to argue that the naval base reservation was a friendly overture. The pact for the limitation of armament was designed to halt rivalry in construction. The reservation would require British assent to it or the defeat of the treaty by the Senate. Defeat of the treaty would mean America against the world, with Asia and Europe counting the possibilities of their combined fleet strength.

The "freedom of the seas" rider speaks for itself as well as Senator M'KELLAR does. He says, according to the United Press, that "most American wars sprang from the violation of the rights of neutrals in international commerce," and he might have added, as he interprets those rights, that the United States has violated them in every war in which it has participated. The rider declares that "it is understood and agreed that each and all of such high contracting parties (United States, Great Britain, and Japan) guarantee among themselves and to others the natural rights of all neutral nations and their nationals to ship their goods, wares, and merchandise on the high seas in times of both peace and war to and from all nations, belligerent or neutral, without interference or molestation."

He predicted that the adoption of this amendment would do more to keep peace than the treaty itself would. Yet it patently is a potential declaration of war. Senator M'KELLAR is calling upon these three nations to guarantee "to others the natural rights of all neutrals to ship their goods, wares, and merchandise on the high seas in times of war to and from all nations, belligerent or neutral." Essentially that would be a naval alliance to enforce the principle against any belligerent who might undertake a blockade of enemy ports. As the complement of a pledge among the allies to limit their own joint and several naval armament the amendment is an anomaly. When three nations undertake to constitute themselves the self-appointed policemen of the high seas, they should be for bigger and better navies.

Mr. M'KELLAR's intentions are not to promote peace, but to defeat the treaty by a ridiculous amendment. His sincerity and the courage of his convictions would have been more convincingly attested if he had spoken in the Senate for such a resolution when he was a member of that body and this country was assisting with its Navy in blockading German ports against these "natural rights of all neutral nations and their nationals to ship their goods, wares, and merchandise on the high seas in times of war to all nations, belligerent or neutral"—even in enemy ships for all his resolution says to the contrary.

The amendment isn't to be taken seriously. The country awaits patiently the conversion of those who cling to the ancient Roman theory that peace can be preserved by force of arms and oppose cooperation with the League of Nations and the World Court for the peaceful settlement of international disputes; but when the Senator from Tennessee, even as a subterfuge, proposes a triple military alliance, he exposes a sinister militaristic undertone in the opposition to international accord.

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Maine?

Mr. COPELAND. I yield.

Mr. HALE. I offer two reservations to the treaty, one to Article XV and the other to Article XVI.

The PRESIDING OFFICER. Does the Senator from Maine desire that the reservations shall be read?

Mr. HALE. I ask that the proposed reservations be read.

The PRESIDING OFFICER. The clerk will read, as requested.

The legislative clerk read the reservation intended to be proposed by Mr. HALE to Article XV, as follows:

Reservation to Article XV

In ratifying this treaty the United States does so with the distinct understanding that the United States considers that the division of the cruiser category into subcategories (a) and (b), as contained in Article XV for the purposes of effecting limitation in the cruiser category, is a temporary expedient for the purpose of this treaty only, and that the United States maintains as unaltered the principle that limitation of naval armaments shall be effected by the method of total tonnage in each category of vessels, with the right of each nation to distribute such total tonnage within the category in types of units as the individual nation may deem desirable, subject only to limitation as to maximum unit size and maximum caliber of gun carried, as may be agreed upon.

The legislative clerk read the reservation intended to be proposed by Mr. HALE to Article XVI, as follows:

Reservation to Article XVI

In ratifying this treaty the United States does so with the understanding and distinct stipulation that the provisions of Article XVI, part 3, with its accompanying table forming an integral part of said article, in so far as the said provisions prescribe a ratio derived from the tonnage figures in said table as between the United States and the Japanese Empire in subcategory (a) of the cruiser category, the destroyer category, and the submarine category, shall be binding only during the life of this treaty; and, further, that the United States maintains as a cardinal principle for any future conference the ratio of 10-6 in all categories as between the United States and the Japanese Empire so long as the provisions of Article XIX of the Washington treaty in regard to bases shall remain in force.

The PRESIDING OFFICER. The reservations intended to be proposed by the Senator from Maine will be printed and lie on the table.

Mr. MOSES. Mr. President—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Hampshire?

Mr. COPELAND. I yield.

Mr. MOSES. I offer a reservation, which I shall ask to have considered at the proper time. I now ask that it may be read.

The PRESIDING OFFICER. The clerk will read, as requested.

The legislative clerk read the reservation intended to be proposed by Mr. MOSES, as follows:

Whereas under Article XXI of the London naval treaty certain high contracting parties thereto may, under stipulated conditions, build in excess of the totals stipulated in the several categories and subcategories of said treaty; and

Whereas thereupon other high contracting parties to said treaty are permitted to make proportionate increases: Therefore

The United States in ratifying this treaty reserves the right to make such proportionate increases, not necessarily in corresponding categories or subcategories but in total tonnages proportionate to such possible increases by others, said proportionate increases in total tonnages by the United States to be distributed, in whole or in part, in such category, categories, or subcategory or subcategories as the Government of the United States may deem appropriate to its circumstances.

The PRESIDING OFFICER. The reservation intended to be proposed by the Senator from New Hampshire will be printed and lie on the table.

Mr. COPELAND. Mr. President, I was very much interested in what the Senator from Arkansas [Mr. ROBINSON] said. If I understand him correctly, he believes if we had no treaty, and if we were to rely on competition as the incentive for our naval building program, that within the period of time covered by the treaty we should be very likely to spend more money than if we exercised our right independently to build up to the limit of the treaty. Do I properly interpret what the Senator has stated?

Mr. ROBINSON of Arkansas. That is true; and it is particularly true of the indefinite future, having no special reference to the period of the treaty. Once competition is resumed and gathers the force which we anticipate, the expenditure will not be limited to the treaty period, but will increase in years beyond the treaty period, so that no human mind can anticipate the aggregate amount which we would probably expend if there were no treaty limitation.

Mr. COPELAND. The situation would be this: We would go ahead and build the ships we have authorized and probably would authorize others; they would be on the stocks; and by the end of the treaty period we would be in the position of having spent and authorized much more than we would under the treaty itself.

Mr. ROBINSON of Arkansas. Yes; and of being in a position where we would be prompted to spend enormous sums in the years following the conclusion of the treaty period.

Mr. COPELAND. Mr. President, the statement of the Senator from Arkansas justifies my conscience in the feeling I have had about this treaty. Granted that there are no secret provisions, I would be glad to have an arrangement by which the ships provided for by the treaty should be actually built, as I think the peace of the world and our own welfare as a country depend upon the building of those ships; but, Mr. President, the objection I have had to the immediate ratification of this treaty is that the public is not informed. The public believes that the treaty is what it is said to be, namely, an agreement for the limitation and reduction of naval armaments. It is not that. If the treaty is ratified and we live up to its provisions and actually authorize the expenditure, it is going to cost the taxpayers of this country a lot of money, and they ought to know that.

Mr. BLACK. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. BLACK. I am interested in the statement of the Senator that it will cost the taxpayers a lot of money to build the ships if we build them after the treaty shall be ratified. As I have understood the Senator—I may be wrong—he has objected to the treaty on the ground that it did not provide for the building of sufficient ships to give us parity.

Mr. COPELAND. I am dissatisfied with the categories in which we may build ships.

Mr. BLACK. May I ask the Senator if it is or is not true that if the treaty provided for what the Senator believes would be parity it would require the building of more ships?

Mr. COPELAND. Than are provided for by the treaty itself?

Mr. BLACK. Yes. That is the question I ask the Senator.

Mr. COPELAND. Frankly, if I could choose between a building program involving the same amount of money as we would have to spend in order to obtain parity under the treaty and a building program according to our own national ideas of what sort of ships we should have, I would prefer the latter.

Mr. BLACK. May I ask the Senator another question?

Mr. COPELAND. Certainly.

Mr. BLACK. Again I may be wrong, but as I have listened to and read many of the speeches against the treaty I have gathered that those who are opposed to the treaty are against it on account of the fact that it does not authorize the building on our part of a sufficient number of ships to give us parity with Great Britain or a 5 to 3 ratio with Japan. Is that correct?

Mr. COPELAND. I think that is correct.

Mr. BLACK. Then, may I ask the Senator is it or is it not true if the treaty contained the provisions which he and the others who are against it desire, since we would have to build more ships, that it would cost us more than the billion and seventy million dollars which is the estimate that has been given several times on the floor?

Mr. COPELAND. If we were to build in addition to what the treaty provides those ships that we really need?

Mr. BLACK. Those which the Senator thinks we need in order to obtain parity.

Mr. COPELAND. Of course, if we built up to parity, if we should actually make the appropriations to bring our Navy up to parity, we should be infinitely better off than we are now.

Mr. BLACK. The question I am interested in is this: The Senator thinks the treaty does not provide for parity and so do some of the others; but I have heard a number of them who seem to leave the impression that the treaty will cost a great deal of money if we build up our Navy as permitted under it. I understand the Senator and others who take the position he takes oppose the treaty on the ground that it does not authorize the building of sufficient ships on the part of this Government?

Mr. COPELAND. Sufficient ships of a certain type.

Mr. BLACK. Very well. Then, it would cost more money if the treaty were in such form as the Senator believes would give us the parity which he desires?

Mr. COPELAND. Of course, if this treaty should be ratified we could not then, in addition to the ships provided, build the other ships that some of us think ought to be built.

Mr. BLACK. The question I am asking the Senator is this: If we had a treaty which provided parity according to the Senator's idea, would it or would it not cost us more money to build those ships than it would cost to build the ships which are authorized by the treaty?

Mr. COPELAND. The Senator from Arkansas [Mr. ROBINSON] has said it would cost more money; but I do not quite share that view. I would not spend a lot of money for the

great, big theatrical battleships and yet, of course, I speak as one utterly inexperienced in naval matters.

Mr. BLACK. Then, may I ask the Senator this question? If the Senator thinks that it would cost no more money to build the ships which he believes would give us parity than it would for us to build the ships which are authorized by the treaty, then the Senator does think that this treaty provides for sufficient ships to give us parity, does he not?

Mr. COPELAND. We have parity, as categories are considered, but we have not, as I see it, the proper national defense if we carry out literally the terms of the treaty and actually do the building. That is another reason why I have opposed the treaty; but, as I said a few moments ago, even with that conviction, if the treaty were submitted to the country and the country, after studying the questions involved and realizing the cost, should determine that it wanted the treaty, I would be willing to vote for it.

Mr. BLACK. I will say to the Senator, the point I am interested in is this: A number of those who are opposed to the treaty have referred to the fact a great many times that it will cost a billion dollars to build up to the number of ships authorized by the treaty; but they have opposed the treaty day after day on the ground that it does not give us the right to build sufficient cruisers and on the ground that it does not give us the right to build sufficient other ships. Is it or is it not inevitably true that if it provided that parity which the Senator and those who have joined with him believe it should provide, it would cost the people more money to build up to that parity?

Mr. COPELAND. That is, if we could set this treaty aside entirely?

Mr. BLACK. If we could set the treaty aside and include in it the number of ships which the Senator thinks we need in order to have parity, would it cost the people more than a billion dollars?

Mr. COPELAND. If we could have the parity which the treaty provides, without the division of that building into categories, I think we might be well pleased with the treaty. The objection some of us have is that we can not build the type of cruiser which is needed for the protection of our lanes of travel. In that respect we believe the treaty is sadly deficient.

Mr. BLACK. Then, as I understand, the Senator is not willing to say that in order to get parity we need to build more ships than are provided for by the treaty?

Mr. COPELAND. I would say that we need to build ships of a different type than are provided by the treaty.

Mr. BLACK. Then, the Senator is not willing to say that we need to build more ships than are provided for by the treaty in order to obtain parity?

Mr. COPELAND. I would say that we do not need to do so. If we could have the tonnage provided for in the treaty, as I see it, and then divide it up into the building of the types of ships we need, we would get along very well.

Mr. BLACK. Then the Senator is of the opinion—I want to get that clear, because I want to understand that objection; I have not quite understood the frequent reference to the cost—the Senator is of the opinion that this treaty as it is, so far as the number of ships is concerned, gives us the parity which the Senator desires?

Mr. COPELAND. No.

Mr. BLACK. The Senator, then, is not satisfied that so far as the number of ships is concerned, the treaty gives us the parity which the Senator desires?

Mr. COPELAND. The number and quality—no.

Mr. BLACK. The Senator believes that we need an added number and quality in order to bring us to parity? Is that correct?

Mr. COPELAND. We need a different quality; not necessarily a different number.

Mr. BLACK. The Senator does not say, then, that we need any additional ships in numbers in order to give us parity with Great Britain?

Mr. COPELAND. That is correct.

Mr. BLACK. The Senator is of the opinion, then, that so far as this treaty is concerned, in number of ships we are given a parity with Great Britain?

Mr. COPELAND. If we may trust the statements made on the floor we have parity. Of course, when I figure out some of the methods of replacement, and so on, I do not think we have quite parity. One of the further questions I was going to ask was about what our status would be in 1935, assuming normal construction and scrapping; and, as I have figured it out, we would not have parity with Britain. We would stand about as follows: The United States, 10; Great Britain, 12; Japan, 8.

Mr. BLACK. Following this up, as I understand, the Senator states that in so far as the number of ships we are authorized to build in this treaty is concerned we do have a parity with Great Britain.

Mr. COPELAND. Yes.

Mr. BLACK. Assuming, then, that we do have parity in number, as to which particular ship provided for in this treaty would the Senator authorize a change of quality?

Mr. COPELAND. I would change the cruiser category so that we could have a larger number of the 8-inch-gun cruisers.

Mr. BLACK. And fewer 6-inch-gun cruisers?

Mr. COPELAND. And a decrease of the 6-inch-gun cruisers.

Mr. BLACK. Then the Senator has no objection in so far as the quality of the ships is concerned. The only objection he has as to the quality is that we do not have as many 8-inch-gun cruisers as he thinks we should have?

Mr. COPELAND. That is my chief objection. Of course I have other objections.

Mr. BLACK. And, as I recall, there is a difference of three 8-inch-gun cruisers in the amount recommended by the General Board and the amount provided for in the treaty.

Mr. COPELAND. I think so.

Mr. BLACK. Then the sole difference would be the three cruisers which the Senator thinks, instead of being 6-inch-gun cruisers, should be 8-inch-gun cruisers.

Mr. COPELAND. That would make a very great difference.

Mr. BLACK. One other question, and I will not ask the Senator any more: Assuming that the difference in parity could be rearranged, which the Senator thinks the treaty needs to give it parity—

Mr. COPELAND. Parity and defense.

Mr. BLACK. Parity and defense—assuming that, would it still cost a billion and seventy million dollars?

Mr. COPELAND. I think so.

Mr. BLACK. Then there is no difference between this treaty and the ideal treaty which the Senator would have, according to his idea, in so far as the expense is concerned?

Mr. COPELAND. I agree to that.

Mr. BLACK. So, if the opponents of the treaty win, the Government would save no money on the building of ships?

Mr. COPELAND. Correct; and the Senator from Arkansas says that if the treaty were defeated, by our ordinary building processes we would spend as much money.

Mr. BLACK. Then that gets down to the point I was going to make. The Government will save not one dime if the opponents of the treaty should win their point and defeat the treaty?

Mr. COPELAND. I have made no argument, personally, that there would be any saving of money.

Mr. BLACK. Therefore it is no argument to say that it would cost a billion dollars to build to this treaty. The Senator does not consider it so, does he?

Mr. COPELAND. Except to give the public information that that is what is going to happen. So far as the facts are concerned, so far as the effect is concerned, if we actually ratify the treaty and then carry out the terms of the treaty it is going to cost a billion dollars.

Mr. BLACK. I do not agree with the Senator that we are compelled to carry them out. Personally, although I am for the treaty as a limitation of armament, I am not in favor of the Government adding to the 70 per cent of expense which the Senate has already provided for past and future wars by building all these ships; but I simply wanted to get clear this point: The Senator's objection is not as to the number of ships. He thinks we have parity in number in this treaty. His objection is that instead of having three 8-inch-gun cruisers we authorize three 6-inch-gun cruisers; and it will cost us just as much to build to the Senator's idea of parity as the treaty provides?

Mr. COPELAND. Essentially, that is the position.

So far as I am personally concerned, I have no objection to the expenditure of this amount of money on the part of the Government; and my State, of course, would pay more of that money than any other State. I am convinced, however, if I may say so to my friend from Alabama, that the great public does not realize that it is going to cost money to carry on this treaty, and that it is not at all a limitation of armament in the sense of reduction in the cost of naval operations and building.

I said some time ago, in some remarks here, that I talked with a relative of mine in the West who said, "Is not the treaty wonderful?" I said, "Tell me why, before we discuss it." She said, "Why, because it means that the burden of taxation on all the parties to the treaty will be less. The burden of the people will be less; the number of ships afloat will be less; and consequently the cause of peace and happiness of the world will be promoted."

It is not so. The burden of taxation will not be less, certainly so far as we are concerned, and whether or not the peace of the world will be promoted is a thing that remains to be seen. I do believe, however, that the public should become informed of the fact that if this treaty is ratified it does not mean the scrapping of a lot of ships and doing away with the necessity of building more, but it involves the expenditure of a large sum of money, estimated at various sums from half a billion to a billion dollars. So that is the thing which, as I see it, common honesty demands that we should make clear to the people.

I say for myself, however, that I am in sympathy with the proposal made this morning by the Senator from Massachusetts [Mr. WALSH], and apparently that is the view of the Senator from Pennsylvania [Mr. REED] as well as the Senator from Arkansas [Mr. ROBINSON]—that we ought to prepare the public, and ought, so far as we can, to convince the Congress that this money should be spent in order that we may have an ample Navy.

Now, if I may ask the Senator from Pennsylvania one or two more questions, I shall be through with this article.

We were discussing the status quo; and the Senator said that, in our delegation, there was a good deal of discussion of it, and he assumed that there was in individual delegations from other countries. Was there any discussion of it in the general meetings of the conference?

Mr. REED. No, Mr. President.

Mr. COPELAND. So there is no understanding, implied or otherwise, concerning the way in which the status quo of 1935 is to be established?

Mr. REED. Nothing; except what is written in the treaty.

Mr. COPELAND. Perhaps the Senator heard a statement I made to the Senator from Alabama a moment ago, that in 1935, counting the ships built and the tonnage building, and assuming a normal construction and scrapping, the ratio will be about 12-10-8—Great Britain 12, the United States 10, Japan 8. Does the Senator agree with that?

Mr. REED. No, Mr. President. We only get that result by adding the replacement tonnage to the tonnage to be replaced; and no conference would consider that to be the status quo.

Mr. COPELAND. And the attitude of the Senator is that, even though two parties to the conference were at war, the obligations to the other parties to the covenant would be unaffected, the scrapping would be carried on, and the obsolete vessels would be disposed of according to the terms of the treaty?

Mr. REED. Yes.

Mr. COPELAND. So, as a matter of fact, then, if good faith is exercised all the way around, the treaty end will bring us the parity suggested by the Senator?

Mr. REED. Yes, Mr. President.

Mr. COPELAND. I am very much obliged. That is all I have to say.

Mr. HALE. Mr. President, Article II refers to the capital ships of the United States, Great Britain, and Japan that are to be scrapped.

As I recall it, in the American offer of, I think, February 5, provision was made for the building by the United States of a battleship of the *Rodney* and *Nelson* type. Am I correct in that?

Mr. REED. Yes, Mr. President; that is correct.

Mr. HALE. Had that battleship been built, what ships would the United States have been required to scrap?

Mr. REED. We suggested that if that battleship were built, either the *Arkansas* or the *Wyoming* would be scrapped on its completion.

Mr. HALE. In addition to the other ships mentioned, the *Florida* and the *Utah*?

Mr. REED. No; we suggested that we should scrap the *Florida*, the *Utah*, and either the *Arkansas* or the *Wyoming* in coming down to the 15 provided by the Washington treaty. Then we provided that the fourth one of that group should be scrapped if we built a new battleship to match the *Rodney* or the *Nelson*; and, if the Senator will indulge me, the reason for that suggestion was to make it perfectly certain that we had the right to elevate the guns on our ships without any further protest from Great Britain. It was a trading point, frankly, in order to secure a clear admission by them of our right to elevate the guns, and a withdrawal of the protest they had already filed.

Mr. HALE. But does the Senator mean that we did not expect to get that battleship?

Mr. REED. I mean that we expected either to get that or to get the right to elevate our guns on the existing ships. Having got that right conceded, and having got the British to agree to withdraw their protest, we had served the purpose of our suggestion about matching the *Rodney* and the *Nelson*.

Mr. HALE. Why, Mr. President, you can not take a great battleship and put that as against the right to elevate the guns on our ships when we had already elevated the guns on four of our battleships.

Mr. REED. That is all very well; perhaps you can not; but we did, and we wanted to get that protest withdrawn; and, when it is withdrawn, given the right to modernize all our existing ships. I understood both Admiral Jones and Admiral Pratt to say that we had full parity with Great Britain in capital ships.

Mr. HALE. I know; but I am talking about a specific thing. It seems to me there never has been any real question about our right to elevate the guns and otherwise modernize our ships.

Mr. REED. Why, yes; the Senator may not have known it, but there was a question raised by a protest filed by Great Britain.

Mr. HALE. I have already spoken of that in my speech.

Mr. REED. That is a question; is it not?

Mr. HALE. But the Senator knows that that matter was all settled and out of the way; and after it was settled we have gone ahead and elevated the guns on our ships. There is nothing new in that.

Mr. REED. There is nothing new in it, but the protest remained on file; and it was merely the statement of our two Secretaries of State that the protest was not well founded.

Mr. HALE. No; I think the Senator is mistaken. I think there was an understanding that we were going ahead, and there would be no further protest.

Mr. REED. But the protest was never withdrawn, and we wanted to have it withdrawn.

Mr. HALE. I think that was of no value whatsoever, Mr. President. In order that the Senator may maintain his contention he must admit that we went ahead and did something that we had no right to do; and that I do not think we did.

Now, I should like to ask further what were the circumstances in connection with that battleship that we asked to build? When did we give up the right to build it?

Mr. REED. We did not have the right to build it. We gave up the request for the right to build it when the British conceded our point that they should withdraw that protest against the elevation of the guns.

Mr. HALE. And that was the reason for giving up the battleship?

Mr. REED. That was the reason.

Mr. HALE. That is almost too absurd to credit.

Mr. McKELLAR. Mr. President, will the Senator yield to me to ask a question of the Senator from Pennsylvania?

Mr. HALE. I yield.

Mr. McKELLAR. Did we not have an undisputed right to replace two of these ships with two 35,000-ton ships under the treaty?

Mr. REED. We had an undisputed right to lay down 10 battleships between now and 1936. So had Great Britain. We wanted to save that waste. We got that saving.

Mr. McKELLAR. You got that saving, but you got a number of old battleships that are going to be revamped at just as much cost as it would take to build at least two of the *Rodney* and *Nelson* type.

Mr. HALE. Mr. President, did not Great Britain raise objections of some kind to our going ahead and building an additional battleship?

Mr. REED. Of course, Great Britain did not want that. That is why she agreed to withdraw her protest.

Mr. HALE. Had not Mr. MacDonald, when he was over here, agreed to the building of such a battleship?

Mr. REED. Not so far as I know.

Mr. HALE. The Senator has never heard of it?

Mr. REED. I heard the suggestion, but I never heard that he agreed to it.

Mr. HALE. Has the Senator also heard the suggestion that he agreed to the building of two battleships instead of one?

Mr. REED. It was discussed, but I do not know that he agreed to it. I do not think he did. Furthermore, Japan also claimed the right to build a new battleship to match the *Rodney* and the *Nelson*. That was abandoned at the same time that we abandoned this.

Mr. HALE. What did they get for abandoning that?

Mr. REED. Nothing.

Mr. HALE. The same as we got.

The VICE PRESIDENT. The article is open to amendment. If there be no amendment, the third article will be read.

These articles have all been read the second time, and unless some question should be asked about them, the Chair suggests that they be not read again.

Mr. MOSES. Mr. President, I understand the Senator from California asked that the treaty be read in extenso as we went along, and that was agreed to.

The VICE PRESIDENT. Is there objection to reading the next article?

Mr. REED. Mr. President, I shall object, I think, when we come to the long annexes, full of figures, unless there is some reason for wasting time in reading them.

Mr. MOSES. I hope, at any rate, that the Senator will withhold that objection until the Senator from California returns to the floor.

Mr. REED. Yes; for the present I think we had better proceed as we are.

Mr. McKELLAR. Can we not proceed as we are going now for the present?

Mr. REED. I think we had better, Mr. President.

The VICE PRESIDENT. The Secretary will read Article III. The legislative clerk read as follows:

ARTICLE III

1. For the purposes of the Washington treaty, the definition of an aircraft carrier given in Chapter II, part 4 of the said treaty is hereby replaced by the following definition:

The expression "aircraft carrier" includes any surface vessel of war, whatever its displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

2. The fitting of a landing-on or flying-off platform or deck on a capital ship, cruiser, or destroyer, provided such vessel was not designed or adapted exclusively as an aircraft carrier, shall not cause any vessel so fitted to be charged against or classified in the category of aircraft carriers.

3. No capital ship in existence on April 1, 1930, shall be fitted with a landing-on platform or deck.

Mr. McKELLAR. Mr. President, will the Senator from Pennsylvania explain why that change was made?

Mr. REED. Mr. President, when the Washington conference met it was not supposed that an aircraft carrier could be built of less than 10,000 tons. There was a minimum tonnage stated in the definition of aircraft carriers as expressed in the Washington treaty. Since then it has been discovered, with the improvement of aviation, that a rather satisfactory aircraft carrier can be built of less than 10,000 tons, and it seemed desirable to all parties to the conference that such airplane carriers should be included in the quota of each nation. There is no such carrier being built at the present time, except one of about 7,000 tons being built by Japan. Japan was the one which made the concession in the extension of the definition.

Mr. McKELLAR. If there was provision in the 1922 agreement that aircraft carriers could not be built of less than 10,000 tons, how did it happen that Japan was building one?

Mr. REED. The Senator has not understood that. Under the Washington treaty the building of aircraft carriers of less than 10,000 tons was absolutely unlimited. Any country was free to build as many of those as it pleased. The effect of changing the definition to read this way is to include all of them in the quota of airplane carriers under the Washington treaty.

Mr. HALE. Mr. President, I would like to ask the Senator from Pennsylvania about section 2 of Article III, reading:

2. The fitting of a landing-on or flying-off platform or deck on a capital ship, cruiser, or destroyer, provided such vessel was not designed or adapted exclusively as an aircraft carrier, shall not cause any vessel so fitted to be charged against or classified in the category of aircraft carriers.

I think the Senator from New York asked the Senator from Pennsylvania about that matter last night, but I was not in the Chamber at the time. I would like to have the Senator explain to me whether these decks may be placed on any cruiser or destroyer, or merely on new cruisers or destroyers?

Mr. REED. As a matter of law, under the treaty they may be placed on any cruiser up to a total of 25 per cent of the tonnage of each nation, but, as a matter of actual practice and construction, it is not practicable to put them on existing cruisers.

Mr. HALE. Or on existing battleships?

Mr. REED. On existing battleships, there can be no landing-on decks built under this treaty, as the Senator will see if he will read section 3.

Mr. HALE. The Senator is talking about existing battleships.

Mr. REED. That is what the Senator asked me about, existing battleships, and I answered him exactly.

Mr. HALE. That is right about existing battleships, but how about a battleship which may replace a battleship, in case of loss?

Mr. REED. In case a battleship were lost, a landing-on deck could be built on one replacing it.

Mr. HALE. The French and Italians, as I understand it, under this treaty have the right to build 70,000 tons of additional capital-ship tonnage, have they not?

Mr. REED. That is correct; but neither France nor Italy has used up its capital-ship tonnage. If they build those capital ships, then they have the right to put the landing-on decks on them.

Mr. HALE. Why should that privilege be allowed them?

Mr. REED. It did not seem important.

Mr. HALE. It did not seem important. These ships which the French and Italians may build under the 70,000-ton limit may be built as battle cruisers or as battleships, may they not?

Mr. REED. They may.

Mr. HALE. There is no limit to the size these ships may have, provided they come within the 35,000 tons of the treaty?

Mr. REED. That is correct.

Mr. HALE. Mr. President, what would happen if the French, instead of building large battle cruisers or battleships, should build very fast small battle cruisers, of fifteen or sixteen or seventeen thousand tons, and arm them with guns of 11 or 12 inches? Would they not become very valuable as commerce raiders?

Mr. REED. They might; but the French program does not plan for any such ships.

Mr. HALE. But, of course, the French program may be changed at any time. Is it not possible, Mr. President, that ships which might be built under this treaty in the 70,000 tonnage might bring about a situation where one of the other countries would decide that it was menaced?

Mr. REED. It is.

Mr. HALE. In the Senator's judgment, would that affect the working of Article XXI, the escalator clause?

Mr. REED. It would not; because battle cruisers can not be built under the terms of the Washington treaty, and the escalator clause does not apply to them.

Mr. HALE. I think the Senator is right in that. I wanted to see what the Senator's views were about that matter.

Mr. REED. I am having a very entertaining time being put through school.

Mr. HALE. I think the Senator will have a more entertaining time before the Senate is through with him.

Mr. REED. The Senator is finished with me. If he can not be polite, I will not answer his questions.

Mr. McKELLAR. Subsection 3 of Article III reads:

3. No capital ship in existence on the 1st of April, 1930, shall be fitted with a landing-on platform or deck.

How many of the ships of the three countries have those landing-on decks?

Mr. REED. None.

Mr. HALE. Mr. President, the Senator from Pennsylvania has spoken of this as a privilege which we get under the treaty. Does not the Senator think that without the treaty we would have the right to build cruisers of under 10,000 tons, and to put landing decks on them if we saw fit to do so? [After a pause.] I have asked the Senator a question.

Mr. REED. I heard it.

The VICE PRESIDENT. The Senator will give his attention.

Mr. HALE. Does not the Senator wish to answer my question?

Mr. REED. If the Senator will mend his manners, I will be glad to answer any questions.

Mr. HALE. I was not aware that I had insulted the Senator in any way, shape, or manner. My intention is to get information from the Senator.

Mr. REED. Will the Senator repeat his question?

Mr. HALE. I asked the Senator if we did not have the right, regardless of this treaty, to build ships of 10,000 tons or under and to put on them landing stages for airplanes if we saw fit to do so.

Mr. REED. We did. So had Japan; so had Great Britain. We did not build any, but Japan was starting to.

Mr. HALE. That is quite true; but we had the right to do so on all ships that we built of under 10,000 tons.

Mr. REED. Certainly; so had they.

Mr. HALE. And this, instead of giving us a privilege, cuts it down to 25 per cent.

Mr. REED. Exactly, and it is the same for them.

Mr. HALE. It does not seem to me that that is any additional privilege.

Mr. REED. The Senator might not understand it, but it seemed so to us.

Mr. HALE. I might understand if it were clearly explained to me, and I would like to have the Senator do that. The Senator evidently can not do so.

The VICE PRESIDENT. The article is open to amendment. If there be no amendment proposed, Article IV will be read.

The legislative clerk read as follows:

ARTICLE IV

1. No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun above 6.1-inch (155 millimeters) caliber shall be acquired by or constructed by or for any of the high contracting parties.

2. As from the coming into force of the present treaty in respect of all the high contracting parties, no aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun above 6.1-inch (155 millimeters) caliber shall be constructed within the jurisdiction of any of the high contracting parties.

Mr. HALE. Mr. President, I would like to ask the Senator if such construction might not be carried on in a country that was not named in the treaty by interests in that country which were controlled in the country of one of the signatories.

Mr. REED. Mr. President, I see the Senator has before him a large number of typewritten questions, presumably prepared by or for him with the intention of carrying on this cross-examination. I am not going to help waste the time of the Senate. If the Senator wants to make a speech and give information to the Senate, I would be glad to have him do it.

Mr. HALE. Mr. President—

Mr. REED. I am not going to carry on this dialogue any further for its perfectly obvious purpose.

Mr. HALE. This is a treaty which has not been explained to the Senate.

Mr. GLENN. Mr. President—

Mr. HALE. I can not understand how the Senator can possibly object to explaining it section by section.

Mr. REED. The Senator's inability to understand is due to higher power than mine.

Mr. HALE. I certainly can not understand how any man who is connected with the signing of a treaty can object to explaining everything in the treaty to the Senate to the fullest extent.

Mr. GLENN. Mr. President, will the Senator yield?

Mr. HALE. Yes; I yield.

Mr. GLENN. Does the Senator from Maine take the position that this treaty has not been explained to the Senate?

Mr. HALE. Certainly not.

Mr. GLENN. I heard the Senator from Maine explain it at great length himself.

Mr. HALE. Not article by article, and that is the explanation we are entitled to have.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Gould	McMaster	Shortridge
Bingham	Greene	McNary	Smoot
Black	Hale	McClain	Steiwer
Burns	Harris	Moses	Sullivan
Borah	Hastings	Norris	Swanson
Capper	Hatfield	Oddie	Thomas, Idaho
Caraway	Hebert	Overman	Thomas, Okla.
Copeland	Howell	Patterson	Townsend
Couzens	Johnson	Phipps	Trammell
Dale	Jones	Pine	Vandenberg
Deneen	Kean	Reed	Wagner
Fess	Kendrick	Robinson, Ark.	Walcott
George	Keyes	Robinson, Ind.	Walsh, Mass.
Gillett	La Follette	Robison, Ky.	Watson
Glenn	McCulloch	Sheppard	
Goldsborough	McKellar	Shipstead	

The VICE PRESIDENT. Sixty-two Senators have answered to their names. A quorum is present.

Mr. GLENN. Mr. President, may I inquire whether the Senator from Maine [Mr. HALE], who suggested the absence of a quorum, has answered to the roll call which he suggested we have?

Mr. MOSES. Mr. President, that is unworthy the Senator from Illinois.

Mr. JOHNSON. Mr. President, let me say in response for one who is absent that the query which was made by the Senator from Illinois is unworthy, because when a quorum is called I understand the invariable rule is to mark present the individual Senator who calls for the quorum. Am I not correct in that?

The VICE PRESIDENT. Senators are supposed to answer to their names when the roll is called. However, it is the prac-

tice of the clerk, when a Senator is here and requests to be recorded, to record him even though he does not respond actually to his name when called.

Mr. JOHNSON. What I meant to say was that when a quorum call is made at the request of a Senator, that Senator is marked as present by the clerk.

The VICE PRESIDENT. The clerk would have no right to do it as a matter of right, unless the Senator answered when his name was called or requested that he be marked as present. The Chair is informed by the clerk at the desk that the Senator from Maine was at his request recorded as present.

Mr. JOHNSON. That is the invariable practice, I am sure.

Mr. GLENN. The invariable practice of registering Senators present whether present or not has been changed at this special session at the instance of the Senator from California.

Mr. JOHNSON. That is absolutely incorrect; absolutely wrong. The Senator is entirely mistaken. Get the facts right and then we will have some controversy, but let us not have a controversy when the Senator does not know what he is talking about.

Mr. GLENN. If I never have a controversy with the Senator from California until he gets the facts, we will never have one.

The VICE PRESIDENT (rapping for order). This debate is all out of order.

Mr. HALE subsequently said: Mr. President, I understand the Senator from Illinois [Mr. GLENN] raised some question about my going out of the Chamber so that I might not take part in the quorum. I would like to have read what was said.

The VICE PRESIDENT. That is not in order at this time. The Senator can see it in the RECORD to-morrow morning and answer it then.

Mr. HALE. I ask it as a matter of personal privilege.

The VICE PRESIDENT. The Chair will hold that it is not a question of personal privilege.

Mr. HALE. I think I am entitled to an explanation.

The VICE PRESIDENT. Senators will be in order.

Mr. HALE. I would like to say that I called for a quorum and that I told the clerk before I went out to register me on the roll as present.

The VICE PRESIDENT. The Senator was recorded. The Chair stated that the practice has been to record Senators when they so request.

Mr. HALE. I especially asked the clerk to record me.

The VICE PRESIDENT. The Senator was recorded and that statement was made by the Chair.

Mr. HALE. The Chair will not allow the RECORD to be read of what was said in my absence?

The VICE PRESIDENT. There is no necessity for it being read. The Senator can read it in the RECORD to-morrow morning. There is no rule providing for the reading of any such matters.

Mr. HALE. Very well. The Chair has the right to decide.

The VICE PRESIDENT. There being no amendment to Article IV, the next article will be read.

The legislative clerk read as follows:

ARTICLE V

An aircraft carrier must not be designed and constructed for carrying a more powerful armament than that authorized by Article IX or Article X of the Washington treaty, or by Article IV of the present treaty, as the case may be.

Wherever in the said Articles IX and X the caliber of 6 inches (152 millimeters) is mentioned, the caliber of 6.1 inches (155 millimeters) is substituted therefor.

The VICE PRESIDENT. If there be no amendment to Article V, the clerk will report the next article.

The legislative clerk read as follows:

PART II

ARTICLE VI

1. The rules for determining standard displacement prescribed in Chapter II, part 4, of the Washington treaty, shall apply to all surface vessels of war of each of the high contracting parties.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in nonwatertight structure) fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores, and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition. The word "ton," except in the expression "metric tons," shall be understood to be the ton of 2,240 pounds (1,016 kilos).

The VICE PRESIDENT. If there are no amendments to Article VI, the clerk will report the next article.

The legislative clerk read as follows:

ARTICLE VII

1. No submarine the standard displacement of which exceeds 2,000 tons (2,032 metric tons) or with a gun above 5.1-inch (130 millimeters) caliber shall be acquired by or constructed by or for any of the high contracting parties.

2. Each of the high contracting parties may, however, retain, build, or acquire a maximum number of three submarines of a standard displacement not exceeding 2,800 tons (2,845 metric tons); these submarines may carry guns not above 6.1-inch (155 millimeters) caliber. Within this number France may retain one unit, already launched, of 2,880 tons (2,926 metric tons), with guns the caliber of which is 8 inches (203 millimeters).

3. The high contracting parties may retain the submarines which they possessed on the 1st of April, 1930, having a standard displacement not in excess of 2,000 tons (2,032 metric tons) and armed with guns above 5.1-inch (130 millimeters) caliber.

4. As from the coming into force of the present treaty in respect of all the high contracting parties, no submarine the standard displacement of which exceeds 2,000 tons (2,032 metric tons) or with a gun above 5.1-inch (130 millimeters) caliber shall be constructed within the jurisdiction of any of the high contracting parties except as provided in paragraph 2 of this article.

The VICE PRESIDENT. If there are no amendments to Article VII, the clerk will report the next article.

The legislative clerk read as follows:

ARTICLE VIII

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

(a) Naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under.

(b) Naval surface combatant vessels exceeding 600 tons (610 metric tons) but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics:

(1) Mount a gun above 6.1-inch (155 millimeters) caliber.

(2) Mount more than four guns above 3-inch (76 millimeters) caliber.

(3) Are designed or fitted to launch torpedoes.

(4) Are designed for a speed greater than 20 knots.

(c) Naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics:

(1) Mount a gun above 6.1-inch (155 millimeters) caliber.

(2) Mount more than four guns above 3-inch (76 millimeters) caliber.

(3) Are designed or fitted to launch torpedoes.

(4) Are designed for a speed greater than 20 knots.

(5) Are protected by armor plate.

(6) Are designed or fitted to launch mines.

(7) Are fitted to receive aircraft on board from the air.

(8) Mount more than one aircraft-launching apparatus on the center line; or two, one on each broadside.

(9) If fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.

Mr. HALE. Mr. President, I would like to know about the provision for 20 knots speed for these vessels. I understand that heretofore in providing for exempt classes of vessels of this type the United States has asked for a speed of 15 or 16 knots. In this case the speed has been raised to 20 knots. I would like to know why.

Mr. REED. Mr. President, that was done entirely by the naval experts. So far as I know all of the experts present in London were in agreement on it. I do not know of any particular reason why it should be either 18 or 20 knots.

Mr. HALE. That hardly answers my question.

Mr. REED. I do not suppose it does. Perhaps the Senator had better propound it to the experts.

Mr. HALE. The experts do not happen to be in evidence this afternoon. Very well, Mr. President, if the Senator can not answer.

Mr. COPELAND. I should like to suggest to the Senator from Pennsylvania that we ought, if we can, know why that speed rate was changed, because, as I understand, it makes a radical difference in the value of these ships as against submarines and merchant ships.

Mr. REED. Yes, Mr. President, and of course it is as much to our advantage as to that of anyone else. We have a large number of Coast Guard ships and river patrol boats and vessels of that kind, and this provision operates for and against us just as it does for and against each of the other nations.

Mr. COPELAND. Is it not true, however, that with the speed which has been provided by the treaty the cruising radius of these vessels is materially increased?

Mr. REED. No, Mr. President, it has nothing to do with the cruising radius.

Mr. COPELAND. How far can such boats operate?

Mr. REED. It depends entirely upon their size and the quantity of fuel they can carry. Their speed has nothing to do with their cruising radius.

Mr. COPELAND. If a ship of that kind has a cruising radius, say, of 1,500 miles, and it has a greater speed which has been provided than under the old arrangement, it makes those vessels very much more dangerous in their attacks upon commerce.

Mr. REED. The experts all seemed to be agreed that it was a reasonable provision, and that it inured to the advantage and disadvantage of all the parties to the treaty alike. It was not given particular attention by the delegation.

Mr. COPELAND. Take a country like Great Britain, with naval bases all over the world where vessels may be refueled; would not the development of boats of such speed and effectiveness really be an advantage to the country having such bases?

Mr. REED. Our experts did not seem to attach any importance to it; that is all I can say.

Mr. COPELAND. I assume, then, that that matter was not given very much attention?

Mr. REED. It was not given very much attention by the delegation; I do not know how much attention the experts gave to it.

Mr. HALE. Mr. President, I understand that the request for the added speed was made by the Japanese and not by the English. Can the Senator tell me anything about that?

Mr. REED. I do not recall that.

Mr. HALE. Mr. President, what particular use would we have for vessels of this type? Can the Senator tell me that?

Mr. REED. The United States needs a large number of vessels in its Coast Guard; it has river patrol boats in China and in the Philippines; it has a number of such boats, I understand in Central American waters. It has as much need of them as has any other country.

Mr. HALE. The river patrol boats in China which we have recently built are vessels under 600 tons, and therefore would come within the other class.

So far as the Coast Guard is concerned, I think the reason destroyers were taken from the Navy and assigned to the Coast Guard was that the Coast Guard needed very fast vessels, and, obviously, with a speed of only 20 knots the use of these 20-knot vessels for the Coast Guard would be very limited, and they probably would be of no value whatsoever.

Mr. SWANSON. Mr. President—

The VICE PRESIDENT. The Senator from Virginia.

Mr. SWANSON. Mr. President, the Senator from Maine is offering objections to this article of the treaty which were presented by some members of the General Board of the Navy who are opposed to the treaty. They said that vessels with a speed of 20 knots and armed with 6-inch guns would be a great menace to our merchant marine. They seemed to forget that, while they would be very effective against our merchant marine, they would also be very effective against the merchant marine of Great Britain.

Mr. HALE. I do not think in the situation in which we are that they would be especially effective for us.

Mr. SWANSON. Mr. President, has the Senator from Maine got the floor? Did he yield to me, or have I the floor?

The VICE PRESIDENT. The Senator from Virginia was recognized and has the floor.

Mr. SWANSON. Very well.

Mr. HALE. The Senator is welcome to the floor.

Mr. SWANSON. Very well; I will not yield until I make my statement, and then the Senator from Maine may reply. I am not engaged in making categorical answers to questions which may be asked.

Now, let us see what this provision does. One great complaint which has been made against this treaty is based on the fact that Great Britain has a large merchant marine, many of the vessels of which can be converted into auxiliary cruisers, and that we have no means of meeting that condition; that there is bound to be a discrepancy on that account. It is said that though we would obtain practical parity in battleships and in other lines, yet Great Britain, on account of her ability to convert merchant ships into auxiliary cruisers, would have a great advantage over us, and that, consequently, we ought to have a navy superior to hers in order to offset her preponderance in auxiliary cruisers.

What does this provision do? The members of the General Board came before the committee and said the ships provided for under it would be a great menace to American ships all over the world. I asked them if American ships in this category would not also be a menace against Great Britain's merchant ships, and they said they would be to all except those that

had a speed exceeding 20 knots. They said they would be more effective against merchant ships than converted auxiliary cruisers, unless the latter had a speed in excess of 20 knots. Japan has but two with a speed exceeding 20 knots and Great Britain only 17. Here is a provision that will enable us to meet the complaint that Great Britain has a great advantage on account of her ability to convert merchant ships into auxiliary cruisers.

Mr. HALE. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Maine?

Mr. SWANSON. I yield.

Mr. HALE. Mr. President, the Senator refers to the testimony, I assume, before the Foreign Relations Committee?

Mr. SWANSON. Yes.

Mr. HALE. Members of the General Board appeared before the Naval Affairs Committee, but I can not recall any testimony of that kind, in any shape or form, before that committee.

Mr. SWANSON. The Senator conducted that hearing, and I think he conducted it not with any idea of benefiting the consideration of the treaty.

Mr. HALE. Possibly not; but all sides of the question were presented before that committee.

Mr. SWANSON. Now let us see what this provision of which complaint is made does. As I have said, only 17 ships in the British merchant marine exceed 20 knots, and only 2 in the Japanese merchant marine do so. This provision as to vessels of 20 knots speed will enable America to meet in part the superiority of Great Britain on account of her merchant marine. There has been great complaint—I have heard it day after day; I have heard it in the morning; I have heard it in the evening—that though we may have an equality as to navies we have not real equality; but when there is written in the treaty a provision that will practically give such equality, further complaint is made because boats thus provided for might hurt our merchant marine.

These ships will have a radius of three or four thousand miles, and they will be very valuable to overcome any superiority on account of the merchant marine of any other nation in the eastern Pacific and in the western Atlantic if any controversy either with Japan or with Great Britain should ensue.

In addition to that, the vessels thus authorized have been permitted a speed which will enable them to aid in upholding the temperance sentiment that animates the great State of Maine, which led in the temperance movement. The Coast Guard will be able to use vessels with which to catch the ships that bring rum to Maine. Yet the Senator is complaining of it.

Mr. HALE. Obviously these vessels would not be fast enough to do that.

Mr. SWANSON. Coast Guard vessels are not included in the limitations of the treaty.

Mr. HALE. And therefore the vessels provided for have nothing to do with the Coast Guard.

Mr. SWANSON. They have, because we want to build ships for the Coast Guard which will keep all rum runners and sellers from Maine. We are told that they are operating in that vicinity in great numbers, and yet the Senator is complaining of having this relief afforded. I am surprised at him.

Mr. HALE. The Senator had better look after Virginia and I will look after Maine.

Mr. SWANSON. Virginia is not interested in that business; she is not near Canada.

However, Mr. President, that was one of the reasons, as I understand, why that provision was put in, so that we could have Coast Guard vessels with which to combat the operations of rum runners and rum sellers.

It also has a further purpose, namely, to enable us to meet any disparity with Great Britain in connection with her ability to convert merchant marine ships into auxiliary cruisers. We can build to overcome that disparity.

For these two reasons, I think the Senator ought to favor and not criticize this article.

Mr. HALE. Mr. President, the Senator knows very well that these ships will not be used by the Coast Guard. He also knows very well that we did not ask for the additional speed, but that some other country, either Japan or Great Britain, did ask for it. He knows, further, that, in all probability, we will not build any of these ships.

Mr. SWANSON. I do not know what we will do; I know that we were told that the provision was designed to assist the Coast Guard so that Coast Guard vessels would not be included in our destroyer force.

Mr. COPELAND. Mr. President, I am quite surprised that the Senator from Pennsylvania should have put the enforcement of prohibition in this treaty.

Mr. SWANSON. The Senator from Pennsylvania knows the eighteenth amendment is the law; he believes in law enforcement; and I hope the Senator from New York also believes in it.

Mr. COPELAND. It is the purpose, then, of the clause in question to enforce prohibition?

Mr. SWANSON. The main object, as I understand, is in order that the Coast Guard vessels might not be included in the destroyer class.

Mr. COPELAND. Since the Senator is defending the treaty, I want to ask him a question. It will be noticed at the top of page 12, in the first column, relating to naval vessels of the larger size, that they are not to be designed or fitted to launch mines. Why was not that same restriction placed upon the smaller vessels?

Mr. SWANSON. For the simple reason that the larger vessels can go to foreign countries; they can go 2,000 or 3,000 miles or more. Nobody wants a foreign vessel fitted to launch mines in his home waters. Does the Senator want that? Does he want to allow other nations to build vessels that can come here and launch mines within our waters?

Mr. COPELAND. Is not that exactly what will happen? Will we not have a lot of illegal mine laying by reason of the fact that these vessels are allowed this speed so that they can go long distances from home and place mines? Yet no restriction is placed upon them in that respect.

This treaty is supposed to make for peace, for neutrality, and for the saving of life, and yet here is a kind of vessel provided for with no restriction upon its use in respect to the laying of mines; and such vessel is allowed a speed in excess of anything heretofore permitted for that purpose. So, as I see it, this is an encouragement of illegal mine laying and places in jeopardy merchant ships.

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I yield.

Mr. McKELLAR. The Senator from Virginia says the vessels referred to can only operate in home waters. As Great Britain has naval bases all around the continent of the United States, it would be very easy for her to use such ships against us from those naval bases.

Mr. COPELAND. There is not any question at all that a country like Great Britain, having naval bases conveniently located all over the world, could use such boats to do illegal work in the way of laying mines, and also in making attacks upon merchant ships.

Mr. McKELLAR. If the Senator will yield again, I am not so much interested in the naval bases of Great Britain or any other country except those that are around my own country. Those are the ones that are inimical to our country, and those are the ones to which I object.

Mr. COPELAND. I should like to ask one last question relative to this article, if I may have the attention of the Senator from Pennsylvania. He has been very patient; I certainly appreciate his courtesy; and I want to pay him the compliment of saying that I think he is amazingly well informed on the treaty and he has helped much to clarify it. I should like to ask him this question: The boats that we are now talking about under Article VIII are permitted to carry aircraft, are they not?

Mr. REED. Yes.

Mr. COPELAND. Is there not a danger, then, if a ship of this sort, with the speed allowed, is permitted to have an aircraft platform, that the vessel will be sure to be a great menace to merchant ships and to the unprotected ports of the world?

Mr. REED. It was not thought so, because they are not permitted to carry more than three aircraft. They are not permitted to have landing-on decks. They are limited in the number of catapults that they can carry. While it may be practicable in future conferences to carry these limitations down into the smaller craft, it was felt by the conference that it had done pretty well when it got down to this point.

We all realized that there are a great many police boats owned by all countries for special purposes which are really not a menace to other countries but are necessary for the ordinary sea policing; and it was felt by the conference that it was better not to try to cover all the minutiae of those smaller craft. Possibly in time to come, when this limitation of all categories has proven to be successful, we would be able to extend it further. That was our thought.

Mr. COPELAND. Does the Senator happen to know offhand, without taking any trouble about it, the relative numbers—for instance, how many such craft we have as compared to Great Britain?

Mr. REED. Yes; we have a very liberal amount. If the Senator will look on page 23 and page 24 of the treaty, he will find a lot of them mentioned—mine layers and destroyer tenders and yachts and naval transports and things of that sort. Those really are not combatant ships in the strict sense, and it did not seem to be a practicable thing to undertake to limit them. As the Senator will see, we really have many more than Great Britain, and many more than Japan.

Mr. COPELAND. Was an effort made to restrict the number?

Mr. REED. No.

Mr. COPELAND. Each country has the privilege of building and using as many as it chooses?

Mr. REED. There is a restriction on new mine layers, yes; but there is no restriction on naval transports, for example. Any country can build all of those it wants; and really there is no sense in trying to restrict that class of vessels, because any merchantman of fair speed makes a satisfactory transport.

Mr. HALE. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. HALE. The vessels named on page 23 are not named as showing a list of all of the vessels that we have of this particular type or of any particular type. They are simply a set of vessels that do not come within the three subdivisions, (a), (b), and (c), given in Article VIII, and therefore have to be specially taken care of in Annex III.

Mr. REED. Of course, that is true; but they are illustrative of the type of vessels—

Mr. HALE. Please allow me to finish. The same is true of the vessels of the other nations concerned. The fact that we have more of them than Great Britain or Japan is no particular advantage to us. It simply means that we have more vessels that do not come within the specific sections mentioned.

Mr. COPELAND. Does the Senator feel, if I may ask him, that we have the right to have an unlimited number of such boats of 20 knots and that each and every one of them may be fitted to launch mines?

Mr. HALE. Mr. President, the Senator is talking now about class 3, not class 2. Class 2 is the limitation to 2,000 tons. Class 3 takes all sorts of auxiliaries—transports, mine layers, mine destroyers, hospital ships, and other vessels. The ships of 2,000 tons do not carry airplanes. It is the third class of ships, under section (c), which carry airplanes.

Mr. COPELAND. I am discussing these small boats.

Mr. HALE. The Senator is discussing paragraph (b) vessels of 2,000 tons.

Mr. COPELAND. Yes; paragraph (b), these small boats which are permitted to have a speed not greater than 20 knots.

Mr. HALE. That is correct.

Mr. COPELAND. But which are not prohibited from being designed or fitted to launch mines, as are the larger ships.

Mr. HALE. No.

Mr. COPELAND. So we could have a whole flotilla of such boats, with this speed of 20 knots, fitted up to launch mines, and they could go anywhere for mine laying and also for other attacks upon the merchant marine.

Mr. HALE. I think it is figured that any new mine layers that we build would have to come out of this class of ships. We have at the present time a number of mine layers that are fairly large ships.

Mr. COPELAND. Yes; but they are specially designed for that purpose. Does not the Senator understand, however, that under the terms of Article VIII, section (b), any ships not to exceed 2,000 tons and with a speed not to exceed 20 knots might be fitted up for mine laying?

Mr. HALE. Oh, yes; we will fit them up. That is how our mine layers will be built in the future.

Mr. COPELAND. They are not restricted in number, however, by the treaty.

Mr. HALE. No.

Mr. COPELAND. So there is an unlimited number.

Mr. HALE. Yes; as the Senator from Pennsylvania said, they are not considered combatant ships.

The VICE PRESIDENT. If there be no amendment, the next article will be read.

The legislative clerk read as follows:

ARTICLE IX

The rules as to replacement contained in Annex I to this Part II are applicable to vessels of war not exceeding 10,000 tons (10,160 metric tons) standard displacement, with the exception of aircraft carriers, whose replacement is governed by the provisions of the Washington treaty.

The VICE PRESIDENT. If there be no amendment, the clerk will read the next article.

The legislative clerk read as follows:

ARTICLE X

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than capital ships, aircraft carriers, and the vessels exempt from limitation under Article VIII, laid down or completed by or for them after the coming into force of the present treaty, the high contracting parties shall communicate to each of the other high contracting parties the information detailed below:

- (a) The date of laying the keel and the following particulars:
Classification of the vessel;
Standard displacement in tons and metric tons;
Principal dimensions, namely, length at water line, extreme beam at or below water line;
Mean draft at standard displacement;
Caliber of the largest gun.
- (b) The date of completion, together with the foregoing particulars relating to the vessel at that date.

The information to be given in the case of capital ships and aircraft carriers is governed by the Washington treaty.

The VICE PRESIDENT. If there be no amendment, the clerk will read the next article.

The legislative clerk read as follows:

ARTICLE XI

Subject to the provisions of Article II of the present treaty, the rules for disposal contained in Annex II to this Part II shall be applied to all vessels of war to be disposed of under the said treaty, and to aircraft carriers as defined in Article III.

The VICE PRESIDENT. If there be no amendment, the clerk will read the next article.

The legislative clerk read as follows:

ARTICLE XII

1. Subject to any supplementary agreements which may modify, as between the high contracting parties concerned, the lists in Annex III to this Part II, the special vessels shown therein may be retained and their tonnage shall not be included in the tonnage subject to limitation.

2. Any other vessel constructed, adapted, or acquired to serve the purposes for which these special vessels are retained shall be charged against the tonnage of the appropriate combatant category, according to the characteristics of the vessel, unless such vessel conforms to the characteristics of vessels exempt from limitation under Article VIII.

3. Japan may, however, replace the mine layers *Aso* and *Tokio* by two new mine layers before the 31st of December, 1936. The standard displacement of each of the new vessels shall not exceed 5,000 tons (5,080 metric tons); their speed shall not exceed 20 knots, and their other characteristics shall conform to the provisions of paragraph (b) of Article VIII. The new vessels shall be regarded as special vessels, and their tonnage shall not be chargeable to the tonnage of any combatant category. The *Aso* and *Tokio* shall be disposed of in accordance with Section I or II of Annex II to this Part II, on completion of the replacement vessels.

4. The *Asama*, *Yakumo*, *Izumo*, *Icete*, and *Kasuga* shall be disposed of in accordance with Section I or II of Annex II to this Part II when the first three vessels of the *Kuma* class have been replaced by new vessels. These three vessels of the *Kuma* class shall be reduced to the condition prescribed in Section V, subparagraph (b) 2 of Annex II to this Part II, and are to be used for training ships, and their tonnage shall not thereafter be included in the tonnage subject to limitation.

Mr. HALE. Mr. President, I should like to have the Senator tell me why that special provision was made about those mine layers for Japan.

Mr. REED. Mr. President, that was because they would be in the exempt class in any event except for their tonnage; and similar provisions for retention had been given us for our mine layers in Annex III, page 23, so it seemed no more than justice to allow Japan to retain these vessels.

Mr. HALE. On some old vessels, yes; but for new construction we are given no right above 2,000 tons, are we?

Mr. COPELAND. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from New York?

Mr. HALE. Yes; I yield. I should like to have an answer; that is all. In the meanwhile I yield to the Senator.

Mr. REED. We are given no right of replacement during the term of this treaty of the mine layers which are mentioned in Annex III. Presumably they will not need to be replaced during that period.

Mr. HALE. I think they are older ships; but I think the Senator will recall, if he has read the evidence at the hearings, that in the case of these two ships Japan had no objection to our having the same privilege or to giving the same privilege

to Great Britain, but for some reason we did not care to take it. Am I correct in that?

Mr. REED. I do not know. This was all left to the experts, naturally.

Mr. SWANSON. Mr. President, I understand, if the Senator will yield, that a telegram was sent to our General Board naval officials here saying that the same privilege would be given us, and they said they did not want any such privilege; they did not want to build any such ships and would not recommend that that be done.

Mr. HALE. I understood there was some such communication.

Mr. COPELAND. Mr. President, I should like to inquire if the privilege accorded to Japan in this article does not increase her status quo tonnage when it comes to the next conference. If I am correctly informed, this article involves about 50,000 tons.

Mr. REED. No, Mr. President; it involves 10,000 tons. It does not increase her status quo of tonnage.

Mr. COPELAND. I am speaking about the entire category. If she has an increase of about 10,000 tons here, her total tonnage in this category is about 50,000; is it not?

Mr. REED. No; there is no limitation on this category of mine layers. We are allowed to keep all of ours; and, as the Senator from Virginia has just called attention to—I had forgotten it if I ever knew it—the General Board said it did not want a similar privilege in regard to replacing our mine layers.

Mr. COPELAND. I take it that it is purely a matter of the technical experts.

Mr. REED. Purely.

Mr. HALE. I think I called attention to that myself.

Mr. REED. Well, it might even still be true.

Mr. HALE. It might, and is.

The VICE PRESIDENT. If there be no amendment to this article, the clerk will read the next article.

The legislative clerk read as follows:

ARTICLE XIII

Existing ships of various types, which, prior to the 1st of April, 1930, have been used as stationary training establishments or hulks, may be retained in a nonseagoing condition.

The VICE PRESIDENT. If there be no amendment, the clerk will read the next article.

Mr. REED. Mr. President, I should like to ask the Senator from California [Mr. JOHNSON] whether it is his wish that all of these technical annexes be read?

Mr. JOHNSON. Mr. President, answering the Senator, I do not know whether anybody has any query to make concerning them or not. I think it would be better that they be read, at least to see whether or not there are any questions to be asked. They can be read quickly.

Mr. REED. Very well.

Mr. COPELAND. Mr. President, as far as I am concerned, I have but one question that I want to ask in connection with Annex I. It relates to the lowering of the age at which tonnage may be replaced. The normal time is 20 years; and I observe here, under subsection (a), the first item, that there is a lowering to 16 years.

Still later there is a lowering of the age limit affecting destroyers and submarines by four years. The thing I have queried about this was that the lowering of the age limit would make a lot of our vessels obsolete before the end of the treaty.

Mr. REED. Mr. President, I am glad the Senator asked about that. It came about in this way. The treaty has absolutely stopped the increase in the cruiser tonnage of Great Britain and Japan, with practically no exception. I think they have perhaps 2,000 tons margin. The treaty has stopped any increase in destroyer construction by either of them. It has stopped any increase in submarine construction by either of them. It has stopped any building of battleships by either of them, and all that was left for their shipyards was a slight increase in the airplane-carrier category.

Both Great Britain and Japan said to us, "Now, it is perfectly obvious that the United States is going to have enough work to keep together its shipyard forces during the period of this treaty. It is equally evident that we are not going to have enough work to keep our yards busy, or even to keep our forces together. What we want is the privilege of scrapping some of our ships ahead of time and replacing them with new construction, just enough to keep our yards busy."

That seemed a reasonable request. Both countries are troubled by much unemployment, and that makes the matter additionally aggravating. So we agreed that a certain amount of the British 6-inch-gun cruisers, some 91,000 tons, could be replaced. They wanted to build that much anyway, and the

effect of the treaty, in substance, is that they agreed to scrap a ton for every one of those tons they go ahead and build. Without the treaty they would have gone ahead and added the 91,000 tons to their existing fleet.

The same condition applies to Japan. They wanted the right to build around five or six thousand tons of cruisers, and something like that in destroyers and submarines each year, but they have agreed, while they are doing that, to scrap ton for ton. That gives them the advantage of keeping their hand in, so to speak, and gives us the advantage of having them anticipate the scrapping of existing ships to compensate for it.

When we got to that point we reported the matter to the drafting committee, which was headed by Ambassador Morrow, who was reinforced by three or four naval experts from each country. When the provision came back to us, instead of saying, for example, "Japan may build so many thousand tons of cruisers each year and anticipate the scrapping of existing ships," they came back with this general rule, as they called it, providing that a ship should be considered over age if it was laid down or completed before particular dates, and they said that the experts had worked it out to mean the same thing, and it looked like a general rule which would not rise up to trouble us after this treaty was over.

We never agreed originally on any such provision as this about anticipating the age of scrapping, but the experts worked out this general rule as an expression which would produce the result we had agreed on.

I hope I make myself clear.

Mr. COPELAND. Yes; the Senator does.

Mr. REED. One result of it is that we have the right, if we so desire, to replace our entire fleet of destroyers, but inasmuch as some of them have been very carefully laid up, covered with white lead and kept in good condition, it is felt by the experts that their life has been prolonged and that it would be wasteful for us to rebuild that whole destroyer fleet before the term of the treaty.

That is one reason why I hesitated to accept this \$1,070,000,000 estimate, because it would be wasteful to build that whole destroyer fleet again.

I am sorry to have had to make such a long answer, but I thought the subject required it.

Mr. COPELAND. Mr. President, I thank the Senator. I had the fear that this would mean that the other countries would have new ships as against ours, which were becoming obsolete. But the Senator has made an argument which appeals very strongly to me. Of course, it appeals all the more strongly if it is going to bring employment in the shipyards of the other countries. Nothing in the world makes for peace so much as employment of the people. So, even if they are employed in shipyards, building naval ships, I think the happiness and the contentment of the people will lead to peace.

Mr. REED. Mr. President, if I may add just a word, it seemed well for us to do this because we are to have a brand new cruiser fleet, if we are to build up to the treaty limits, whereas the fleets of the other two countries will average very much older than ours. This only partially rectifies that disparity.

The VICE PRESIDENT. The Secretary will read.

The legislative clerk proceeded to read Annex I.

Mr. COPELAND. Mr. President, I suggest that we have already debated this annex, and that it might be passed over.

The VICE PRESIDENT. If no one requests the reading, it will be passed over, and the next annex will be read.

The legislative clerk proceeded to read Annex II.

The VICE PRESIDENT. Does the Senator from California desire to have the following annexes read?

Mr. JOHNSON. Mr. President, may I inquire of the Senator from New York whether he wishes Annex II read?

Mr. COPELAND. I have no suggestion to make in regard to Annex II. For my part, I would be willing to have it passed over.

Mr. JOHNSON. I have no objection, if no one else has, to the omission of the reading of Annex II.

The legislative clerk proceeded to read Annex III.

Mr. JOHNSON. Mr. President, I suggest, if it meets with the Chair's approval, that we omit the reading of the special vessels.

The VICE PRESIDENT. Without objection, the reading will be dispensed with. The clerk will read the next part.

The legislative clerk read as follows:

PART III

The President of the United States of America; His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India; and His Majesty the Emperor of Japan, have agreed as between themselves to the provisions of this Part III:

ARTICLE XIV

The naval combatant vessels of the United States, the British Commonwealth of Nations, and Japan, other than capital ships, aircraft carriers, and all vessels exempt from limitation under Article VIII, shall be limited during the term of the present treaty as provided in this Part III, and in the case of special vessels as provided in Article XII.

The VICE PRESIDENT. If there be no amendment to be proposed, the next article will be read.

The legislative clerk read as follows:

ARTICLE XV

For the purpose of this Part III the definition of the cruiser and destroyer categories shall be as follows:

Cruisers

Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons (1,880 metric tons), or with a gun above 5.1-inch (130 millimeters) caliber.

Mr. HALE. Mr. President, this article speaks of a limit of 1,850 tons and provides that anything above that, with guns above 5.1 inches, would go into the cruiser class. In the exempt class of vessels, of which we have spoken, provision is made that the vessels may be of any size up to 2,000 tons. I would like to know why that limit was made 2,000 in the case of the other article and 1,850 in this article, and what would be the status of the ship between 1,850 tons and 2,000 tons?

Mr. REED. Mr. President, that is easily answered. The figures were fixed by the experts, and we were told they were entirely satisfactory to our Navy.

What would happen to a ship of more than 1,850 tons and less than 2,000 tons would be this: If it mounted a gun of over 155 millimeters, or if it had more than four guns above 3 inches, or if it had torpedo tubes, or if it had a greater speed than 20 knots, it would be classed as a cruiser and charged against the cruiser category.

Mr. HALE. And if it did not, it would come in the exempt class of vessels.

Mr. REED. What does the Senator mean by "and if it did not"? That is, if it did not have any of those characteristics?

Mr. HALE. If it did not have the characteristics the Senator speaks of; in other words, it would be a cruiser, but in the exempt class of cruiser. Is that the Senator's idea?

Mr. REED. Yes; if it was under 2,000 tons and did not have any of the four characteristics I speak of, it would be exempt.

Mr. HALE. It would have been better, I think, had the same limitation applied in both articles.

Mr. President, I would like to have the Senator explain to me the reason for dividing up the cruiser class into categories.

Mr. REED. Mr. President, we were just following the example of the General Board, which had used what the Senator called an ultimatum to the President, saying that we could not have less than twenty-one 8-inch cruisers. We recognized the distinction which they made in that ultimatum and carried it on into the treaty.

Mr. HALE. Mr. President, of course, when the Senator says that he was following out the recommendations of the General Board shows that he completely misunderstood the recommendations of the General Board, which I have expained a number of times to the Senate. In their letter of September 11, they, as a last-ditch stand, in what the Senator has said I called an ultimatum stated that in order to get parity with Great Britain at a specified time, to wit, at the end of the year 1936, they would consent to a certain complement of cruisers for the United States as against that offered by Great Britain. They never divided the cruiser class into categories in any way, shape, or manner, and never intended to, and expressly stated in their letter of September 11 that in no way did they depart from the American principle that within the limitations of a category any country should have the right to build ships as it sees fit.

I would like to know why the delegation have consented to this British idea which goes into this treaty, and I have not yet had a satisfactory explanation.

Mr. JOHNSON. Mr. President, the root of the matter is far deeper than that which has been suggested, and I want to recall historically just exactly what has transpired, because of the remark that was made by the Senator from Pennsylvania about the delegates following the General Board. The remark, if the Senator will pardon me for saying so, was wholly disingenuous.

The facts are—and the records he has bear me out in that—that the General Board of the Navy of the United States demanded 23 cruisers. The facts are that when first we began to dicker with Great Britain last year we asked 23 cruisers, in accordance with the request of the General Board. I challenge the production of the documents which passed last year, which

demonstrate that fact. So when we last year first dealt with the subject we dealt with it according to the General Board's demand—23 cruisers. We asked them of Great Britain, and the debate that was held here in this city, by dispatches and responses, with London was in relation to the demand for 23 cruisers at first. Great Britain denied us 23 cruisers.

Then I assert that pressure was brought to bear upon the General Board in order that an agreement might be reached with Great Britain, and the General Board, responding to that pressure, reluctantly fixed 21 cruisers as the irreducible minimum, as they described it, and took the remaining tonnage that might be accorded the United States of America, under the proposition that had been made by Mr. MacDonnell and the British Government, in smaller cruisers. That is how the two categories arose. It can not be possible and it is not possible that the two categories were taken by the American delegation because the General Board fixed them, because that was not done by the General Board. The two categories were taken because Great Britain insisted that we take them, and we had to take them with the 18 cruisers that Great Britain allowed us or get no treaty at all. That is the situation.

The VICE PRESIDENT. The clerk will read the next article. The legislative clerk read as follows:

ARTICLE XVI

1. The completed tonnage in the cruiser, destroyer, and submarine categories which is not to be exceeded on December 31, 1936, is given in the following table:

Categories	United States	British Commonwealth of Nations	Japan
Cruisers:			
(a) With guns of more than 6.1-inch (155 mm.) caliber.	180,000 tons (182,880 metric tons)	146,800 tons (149,140 metric tons)	108,400 tons (110,134 metric tons)
(b) With guns of 6.1-inch (155 mm.) caliber or less.	143,500 tons (145,796 metric tons)	102,200 tons (105,275 metric tons)	100,450 tons (102,057 metric tons)
Destroyers.....	150,000 tons (152,400 metric tons)	150,000 tons (152,400 metric tons)	105,500 tons (107,188 metric tons)
Submarines.....	52,700 tons (53,543 metric tons)	52,700 tons (53,543 metric tons)	52,700 tons (53,543 metric tons)

2. Vessels which cause the total tonnage in any category to exceed the figures given in the foregoing table shall be disposed of gradually during the period ending on the 31st of December, 1936.

3. The maximum number of cruisers of subcategory (a) shall be as follows: For the United States, 18; for the British Commonwealth of Nations, 15; for Japan, 12.

4. In the destroyer category not more than 16 per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement. Destroyers completed or under construction on the 1st of April, 1930, in excess of this percentage may be retained, but no other destroyers exceeding 1,500 tons (1,524 metric tons) standard displacement shall be constructed or acquired until a reduction to such 16 per cent has been effected.

5. Not more than 25 per cent of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck for aircraft.

6. It is understood that the submarines referred to in paragraphs 2 and 3 of Article VII will be counted as part of the total submarine tonnage of the high contracting party concerned.

7. The tonnage of any vessels retained under Article XIII or disposed of in accordance with Annex II to Part II of the present treaty shall not be included in the tonnage subject to limitation.

Mr. COPELAND. Mr. President, there is a restriction of 180,000 tons, is there not, upon the cruiser building which is provided for by this table? That is restricted, is it not, by article 18?

Mr. REED. That is right.

Mr. COPELAND. Is there any other country similarly restricted as to any category or any type of ship itemized in this table?

Mr. REED. Yes. There are restrictions such as that Great Britain's replacement shall not exceed 91,000 tons of 6-inch-gun cruisers. There may be some others that do not occur to me at the moment.

Mr. COPELAND. But this is the most conspicuous example of restrictions?

Mr. REED. It has been made the most conspicuous in debate; yes.

Mr. COPELAND. Then I assume the table to which I have just referred is not a strictly accurate portrayal of the situation as the situation will be at the end of the treaty period?

Mr. REED. Oh, it is. It is absolutely accurate because, if the total of our 8-inch-gun cruisers were not stated at 180,000 tons, we would have no right to lay down No. 17 and No. 18.

Mr. COPELAND. Let me make this statement, so the Senator may make reply to it. The uncompleted part of our 180,000 tons may be under construction, but this is met by the fact that other nations will also have large tonnage under construction which is not shown in the table.

Mr. REED. But theirs will be replacement tonnage.

Mr. COPELAND. Great Britain will have 86,350 tons and Japan 18,190 tons under construction as replacement tonnage, as the Senator said?

Mr. REED. Yes.

Mr. COPELAND. Such replacement tonnage is not strictly comparable to our 8-inch-gun construction?

Mr. REED. Not at all; because ours is new construction and theirs is replacement.

Mr. COPELAND. Ours is not to replace anything?

Mr. REED. No.

Mr. McKELLAR. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I yield.

Mr. McKELLAR. Is it not true that this does not show an accurate situation, and for this reason: In 1937 and 1938 we will have 2 of the 18 building. There is no reason why Great Britain and Japan, unless there is some other agreement—I mean so far as this agreement is concerned—may not lay down other cruisers in 1937 and 1938 while ours are still building?

Mr. REED. That is true, but ours will be nearly finished, and if they say, "We want no more of the treaty and we are going to lay down new tonnage," we will have a perfect right to do the same thing at the same time, and doubtless we will.

Mr. McKELLAR. I hope so, anyway.

Mr. COPELAND. As I see it, the large replacement tonnage of the other powers constitutes a superior element of strength to them and a further advantage to them in the negotiations to come in 1935.

Mr. REED. Yes; but if we counted all of that as new tonnage available for their retention together with the old, they still would have a far less advantage than they have at this moment over us. It is not conceivable to me that the good faith which has characterized the dealings of both of those countries under the Washington treaty is suddenly going to disappear. I believe that we can depend upon the good faith of both Great Britain and Japan in regard to this replacement tonnage, just as I know they can depend upon our good faith.

Mr. McKELLAR. Mr. President, may I ask the Senator another question?

The PRESIDING OFFICER (Mr. STEIWER in the chair). Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I yield.

Mr. McKELLAR. The Senator from Pennsylvania talks about the good faith of Great Britain and Japan. The Senator will recall, of course, the situation in which we found ourselves after we had made the agreement in 1922. We found that 13 of our ships could not shoot as far as 22 of theirs. When they were talking about a 5-5-3 ratio, when they got the treaty signed, and after they got it signed it was found that the elevation of the guns on 13 of our ships was such that they could not shoot as far as the guns of the British ships, when it was the purpose to have a 5-5-3 ratio, does the Senator think it was good faith for Great Britain to file a protest against our elevating our guns?

Mr. REED. There were a number of British ships that were not modernized also. The Washington treaty contained a provision that there should be no change made in the gun mounting of the batteries of these ships. There was a very close question whether the elevation of the guns was not a change in the gun mounting. Great Britain claimed that it was. We claimed that it was not, because, as we said, it was only enlarging the hole in the front of the turret and not changing what is technically called the mounting. Great Britain filed a formal protest because she thought she was entitled to do it under the express terms of the Washington agreement.

Mr. McKELLAR. Does the Senator think, under all the circumstances surrounding the making of that treaty, that it was fair for Great Britain to come in and make protest against our elevating the guns on those 13 ships? Was that an evidence of good faith on the part of Great Britain under the agreement for a 5-5-3 ratio?

Mr. REED. Yes; I think that was good faith.

Mr. McKELLAR. I differ with the Senator entirely, and I believe that America will differ with him, too.

Mr. REED. We might have done the same thing had the shoe been on the other foot.

Mr. McKELLAR. But we did not do it. The Senator has said the shoe was on the other foot, as a matter of fact. I am sure we made no protest. On the other hand, Great Britain did protest and for quite a while held it up, and then her own authorities, I believe before this conference was held, withdrew from that position.

Mr. COPELAND. Mr. President, I agree with almost everything my friend from Tennessee states, but I want to say that for my part I am taking the other nations on faith. I have confidence that a great sovereign nation in its international dealings will deal honestly. They may be shrewd and perhaps shrewder than we are sometimes in conferences, and yet I believe the national integrity of Great Britain and Japan is as great as ours.

While I am on my feet I want to ask the Senator from Pennsylvania another question. He is extremely patient, and I am sorry to tax him further, but I want to ask about the second paragraph of this article. There is a provision made there for gradual disposition. It reads:

Vessels which cause the total tonnage in any category to exceed the figures given in the foregoing table shall be disposed of gradually during the period ending on the 31st of December, 1936.

Is not that rather an unusual statement?

Mr. REED. I do not think so.

Mr. McKELLAR. It does not mean anything, surely.

Mr. REED. Oh, yes, it does.

Mr. McKELLAR. Certainly Great Britain would have the right not to dispose of those four cruisers until the 31st of December, 1936. In other words, suppose we were to undertake to force her to dispose of those four additional vessels before the 31st of December, 1936, surely as a lawyer the Senator does not believe we would have any right in any international court to do it?

Mr. REED. That we will never have to go to an international court to do. I am perfectly certain that, except for the two which are going to be disposed of in 1936, the other ships will be disposed of a reasonable time before that.

Mr. McKELLAR. It may be. The Senator may be right about it, but Great Britain does not have to do it until December 31, 1936.

Mr. REED. Except that she has given her word to do it gradually. Suppose she used bad faith, suppose she complied only with the letter and not with the spirit of her word, we would have an equal right to protect ourselves by keeping the surplus destroyer tonnage which we have. Nations do not profit by sharp practices.

Mr. COPELAND. Is it not possible that the word "gradually"—and, by the way, I do not believe the Senator, great lawyer that he is, would write just that language into a legal document if he were preparing one.

Mr. REED. It is one of the words that is relative, like the word "reasonable," which we use so often in law.

Mr. COPELAND. All right; I will not dispute the Senator on a legal proposition. But taken in conjunction with the lowering of the age limit—and for that the Senator has made a very ample explanation—the effect of this gradual reduction or disposition of cruisers will probably be that we will give Great Britain and Japan an abnormally large total tonnage of cruisers at the end of the treaty period, counting those that are built and which are building.

Mr. REED. We do not think so. It did not seem so to us.

Mr. COPELAND. If we had a disposition so gradual that it did not actually result in the disposition of those ships at the end of the time and the building progress in which the Senator wants to have them encouraged—and I am with him in that—would not that mean that at the end of the period they would have a disproportionate amount of tonnage?

Mr. REED. It might be that they would crowd all their replacement into the last year, but I can not imagine any sane people doing such a thing. I do not think their own people would permit it. In order to keep up the supply of work for the dockyards they can not let all this go over until 1936. It stands to reason it has to be done gradually the way the treaty says. The Senator would not want to see the Brooklyn Navy Yard shut up tight until 1936 in order that we might play a smart trick on Great Britain and Japan by throwing a lot of tonnage in there in that last year.

Mr. COPELAND. No; because I have already expressed sympathy for the unemployment of England and Japan, but I have far greater sympathy for the unemployment of Brooklyn, so the Senator once more has used a very apt example.

May I ask about paragraph 3?

The maximum number of cruisers of subcategory (a) shall be as follows: For the United States, 18; for the British Commonwealth of Nations, 15; for Japan 12.

That is misleading, is it not?

Mr. REED. Does that mislead the Senator? It does not mislead me.

Mr. COPELAND. During the whole life of the treaty Great Britain may have 19 and we can not exceed 16.

Mr. REED. During the life of the treaty Great Britain will scrap 4 of the 19 she now has. We are going to build up to 18. Our No. 17 may be 24 hours away from completion and our No. 18 may be 1 year and 1 day away from completion. Everybody understands that.

Mr. COPELAND. Perhaps on that matter we do not fully agree, yet I have no disposition to impute bad faith to other countries and certainly not to our delegates; but to me that is somewhat a distressing thing. Furthermore, when I realize that we have in the treaty the escalator clause, with all good feeling toward England, I can quite understand that if there were any menace whatever to her national welfare, she might in the last minute decide that she could not scrap these cruisers but that she needed them for her national defense. However, I shall not enlarge upon that subject because I have done so in the past.

The PRESIDING OFFICER. Is there any amendment to Article XVI? If there be no amendment, the clerk will read the next article.

The legislative clerk read Article XVII as follows:

ARTICLE XVII

A transfer not exceeding 10 per cent of the allowed total tonnage of the category or subcategory into which the transfer is to be made shall be permitted between cruisers of subcategory (b) and destroyers.

Mr. HALE. Mr. President, will the Senator from Pennsylvania explain the purpose of that article?

Mr. REED. The article means just what it says, that any nation that wants a shade more destroyers can have them at the expense of 6-inch-gun cruisers or vice versa.

Mr. HALE. That might upset the entire cruiser ratio, might it not?

Mr. REED. Certainly, it might upset it in either direction. If we want more cruisers or more destroyers, we will be at liberty to take them.

Mr. HALE. Who especially asked for that privilege?

Mr. REED. My recollection is that it was first suggested by the Japanese. It seemed to be satisfactory to everybody else.

Mr. HALE. It was certainly not suggested by our delegates?

Mr. REED. No; I do not think so.

Mr. HALE. I myself can not see any special advantage in allowing it, but I can see that it might entirely upset the cruiser ratio which is possibly more important.

The PRESIDING OFFICER. If there be no amendment to Article XVII, the clerk will state the next article.

The legislative clerk read Article XVIII, as follows:

ARTICLE XVIII

The United States contemplates the completion by 1935 of 15 cruisers of subcategory (a) of an aggregate tonnage of 150,000 tons (152,400 metric tons). For each of the three remaining cruisers of subcategory (a) which it is entitled to construct the United States may elect to substitute 15,166 tons (15,409 metric tons) of cruisers of subcategory (b). In case the United States shall construct one or more of such three remaining cruisers of subcategory (a), the sixteenth unit will not be laid down before 1933 and will not be completed before 1936; the seventeenth will not be laid down before 1934 and will not be completed before 1937; the eighteenth will not be laid down before 1935 and will not be completed before 1938.

Mr. JOHNSON. Mr. President, it was my intention originally to present an amendment to this particular article. I have, however, presented what I desired by way of a reservation. I do not intend to argue the matter now nor to interrogate the Senator from Pennsylvania concerning it. However, I consider it one of the important things in the treaty, and upon the reservation that I have presented I shall, of course, ask to be heard, and shall then present the case as I see it.

Mr. COPELAND. Mr. President, may I ask a question about Article XVIII? Did the Japanese delegation, if it is proper to inquire, or did any of its members, indicate any intention of insisting in 1935 upon any increase in their 8-inch-gun tonnage in the event the United States elected to build its last three 6-inch-gun cruisers? I ask that question only if it is a proper one.

Mr. REED. I am glad to answer the question. Mr. President, since 1922 the Japanese press has been teeming with demands for an increase in the 5 to 3 ratio. For the last year

It has been made almost a political slogan of all parties in Japan. The Japanese people have been taught to think that there is some kind of magic in the figures 10 to 7, and for their delegation to come to London and to agree to a 10 to 6 ratio in the larger type of cruisers, as they did, was calculated to bring about very strong protest and to cause a very strong resentment in Japan.

To begin with, it was very apparent to all of us that they could not make that concession in a treaty that was going to run for a long period of time, and so I think they were glad when we suggested that the treaty should be made for a fairly short space of time, thus increasing confidence in each of the countries; but they said, "We have got to have it made clear that when the next conference on this subject meets we shall be free to claim a larger ratio." We answered, "Why, of course you will; and we will be equally free to claim a smaller ratio; if you want to claim 10 to 7 or 10 to 8 you may do it; and if we want to claim 10 to 5 or 10 to 4 we may do it; we are all of us going to be absolutely free." That is what led to the expression that is found in this article.

Mr. COPELAND. Then, as I understand the matter, the answer categorically is "yes"?

Mr. REED. I have forgotten the question.

Mr. COPELAND. That the Japanese delegation did indicate a clear intention of insisting on an increase in their 8-inch-gun cruisers in the next conference?

Mr. REED. No; they did not indicate such an intention; they indicated a desire to keep the field open for whoever might be their delegates in the next conference; and we expressed a similar desire to keep it open for whoever might be the American delegates.

Mr. COPELAND. Mr. President, may I ask the Senator has this fact been presented to us before? I refer to what the Senator is now saying. Has it been presented heretofore in the Senate during the debate on this subject?

Mr. REED. Absolutely; I said it in my remarks the other day; and I think other Senators have said it.

Mr. MOSES. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from New Hampshire?

Mr. COPELAND. I yield.

Mr. MOSES. I should like to ask the Senator from Pennsylvania if in the course of the discussion which he has just described there was any mention on the part of the American delegation of the price which we paid at the Washington conference, to wit, the agreement not to fortify our Pacific possessions?

Mr. REED. Absolutely. Over and over again it was stated that if the 10-to-6 ratio in the larger cruisers could not be secured it might result in the termination of the Pacific nonfortification treaty.

Mr. MOSES. Then I presume the Senator from Pennsylvania will vote for a reservation to that effect.

Mr. REED. I will not.

Mr. COPELAND. Mr. President, I want to follow this discussion a little farther. It will probably be all I will have to say about the treaty, and it will be a great relief I know on that account.

I want to know, if I can get the information, if there was any information given to the Japanese Government, so far as the Senator from Pennsylvania is aware, that in all human probability we would not build the last three 8-inch-gun cruisers.

Mr. REED. Absolutely not, Mr. President. I have so stated previously a great many times, but I can not say it too often. Some individuals came to us and asked, "What is the use of putting in this option, if we do not really intend to exercise the option?" We replied, "It may be that we will exercise the option, and build the 45,000 tons of 6-inch-gun cruisers instead of 30,000 tons of 8-inch-gun cruisers. We want our Navy to be absolutely free to do as it sees fit when the time comes." We have again and again cautioned those who came to us and the public generally against believing that option was not inserted in good faith, or that there is any intention whatsoever of foregoing the last three cruisers. Everybody, I think, understands that clearly, and I should be sorry to see the treaty ratified in Japan or Great Britain on any other theory.

Mr. COPELAND. It is an uncomfortable thing that we have to speak so plainly in open executive session; but it is very significant that Mr. Castle was sent to Japan for a short visit, at which time he did a very useful piece of work, I have no doubt. I want it understood that I am not in any sense criticizing him; because I regard him as a very valuable servant of the Government; but it is very significant that he was sent to Japan while the proceedings in London were under way. Without any thought of impertinence, may I not ask the Senator if it is not possible that there was given to Japan by a very tactful and

wise diplomat an intimation that the remaining cruisers would not be built?

Mr. REED. Mr. President, as I understand the Senator asks me whether it is possible that some information may have been given by Mr. Castle to the Japanese Government to the effect that we would not build the last three 8-inch-gun cruisers?

Mr. COPELAND. When I ask the question let me say to my friend from Pennsylvania I do not do so in any spirit of impertinence.

Mr. REED. I know that.

Mr. COPELAND. Or in any sense as reflecting upon the State Department or upon Mr. Castle, for I think too highly of him to do so; but it is a proper question for us to consider. In connection with this treaty we have had much to say about the unwisdom, if I may use that word, or the failure of the administration to confide in us and to place before us all the facts. Here is the remarkable coincidence that Mr. Castle was in Japan at that time, and so I ask, if I may do so properly, is there a possibility that there may have been given an intimation to Japan that we would not build these cruisers?

Mr. REED. No, Mr. President; and I am glad to say why I feel that it is not possible. Of course, anything is humanly possible; but Mr. Castle was in constant touch with us in London and nothing in any report that he made indicated that he had given any such assurance; nothing in any of the dispatches we sent to him would have warranted such an assurance, and nothing in Mr. Castle's conversation since he came back would lead us to think that he had given it. Further, if he had given such an assurance, it would have been profound bad faith on his part to lead the Japanese to think that the treaty did not mean what it said, because as we told their delegation in London, and as I say now—and I know my words will be cabled to Japan—so far as we can tell, the United States definitely intends to build those last three cruisers, unless it exercises the option which is given it to build 45,000 tons of 6-inch-gun cruisers instead; and the present temper of the authorities of the Navy makes it reasonably certain to me that they will elect to build 8-inch-gun cruisers and not 6-inch-gun cruisers.

Mr. JOHNSON. Mr. President, will the Senator from New York yield to me?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from California?

Mr. COPELAND. I yield.

Mr. JOHNSON. The query which I am about to make is superinduced entirely perhaps by curiosity. The Senator said that he was in constant touch with Mr. Castle, or that the members of the American delegation were, while they were in London and Mr. Castle was in Japan. May I inquire whether or not among the papers that the Senator from Pennsylvania exhibited to certain Senators, under the circumstances that heretofore have been detailed, there were copies of the wires, cablegrams, and the like communications passing between the ambassador and the delegation in London?

Mr. REED. No. It was my custom to destroy my copies of such communications in order to protect the code. There may be a few exceptions, but I think most of them were destroyed in any event; and I was never asked for them. They can be gotten from the State Department if any Senator wants to see them.

Mr. COPELAND. Mr. President, it will be seen that the position that some of us have taken on the floor of the Senate, that we were entitled to have all the documents relating to this treaty, was not an unreasonable demand on our part. So far as I am concerned, I did not care how those documents came to us, whether in executive session or how they might be brought here. We had and we have the right to know, among other things, whether or not there is this secret understanding with Japan.

Diplomacy is a strange thing; and in this modern day there is resentment of secret diplomacy. If there has been an intimation, no matter how delicately it may have been imparted to Japan, that these last three cruisers are not to be built, the Senate and the country have a right to have that knowledge. I am going to assume that there has been no such intimation, because I want to feel and continue to feel that we may trust those in high places; and yet it would have been better, unquestionably better, had the President acceded to our request and given us those papers. The chances are that there is nothing in them that would have reflected upon anybody; but how much better all of us would feel if we knew positively that there is no secret arrangement or secret intent to evade the written word of the treaty!

Mr. President, so far as I am concerned, I trust this is the end of any discussion that I may have, this week at least, regarding this treaty.

Mr. McKELLAR. Mr. President, I dislike to bother the Senator from Pennsylvania, but there is one question about Article XVIII that I desire to clear up, if I can.

In Article XVIII it is stated particularly that the United States contemplates the building of these 15 cruisers. As to the 6-inch-gun cruisers—those that remain for us to build, about 73,500 tons, I believe—there is no such intention suggested. I was very happy this morning when I heard the Senator from Pennsylvania say that he believed they ought to be built. I am wondering if either the representatives of Great Britain or the representatives of Japan had any idea, or were in any way led to believe, that these cruisers might not be built.

Mr. REED. Why, no, Mr. President. On the contrary, we fought with Mr. MacDonald for about a month over a matter of some 3,500 tons of the 6-inch-gun cruisers. The British gradually came up to an allowance of 140,000 tons of 6-inch-gun cruisers for us, and we were demanding 147,000 tons. They had started at 120,000, claiming that that was parity because of our having more of the 8-inch-gun cruisers. We said it was not parity, and they kept coming up little by little until we were 7,000 tons apart, and then, after a month of that haggling, we split the difference. They know perfectly well that we prize every ton of that quota. And may I say a word there?

Mr. McKELLAR. And they were assured that the United States would build?

Mr. REED. Oh, they had every reason to expect it, and I certainly hope we will, because I think we have belittled these 6-inch-gun cruisers; and I suspect that perhaps the British in that regard are a little wiser than we are. They realize the value of them. I hope they will be included in our Navy. Of course, I am an amateur. I know nothing about naval matters as an expert.

Mr. McKELLAR. I have my doubts about their being as valuable as the 8-inch-gun cruisers; but the reason why I asked the Senator the question was because of the statement of Commander Kenworthy in the British Parliament that he hoped very much America would not build this additional 73,500 tons. The Senator will recall that he made that statement.

Mr. REED. He is pretty prolix. I can not remember all the statements he has made.

Mr. McKELLAR. He made the statement in Parliament that there was very much hope that this 73,500 tons of 6-inch-gun ships would not be built.

The VICE PRESIDENT. There being no amendment to this article, the clerk will read the next article.

The Chief Clerk read as follows:

ARTICLE XIX

Except as provided in Article XX, the tonnage laid down in any category subject to limitation in accordance with Article XVI shall not exceed the amount necessary to reach the maximum allowed tonnage of the category, or to replace vessels that become "over age" before December 31, 1936. Nevertheless replacement tonnage may be laid down for cruisers and submarines that become "over age" in 1937, 1938, and 1939, and for destroyers that become "over age" in 1937 and 1938.

Mr. McKELLAR. Mr. President, may I ask the Senator from Pennsylvania how many, if any, of the 15 British cruisers of the 10,000-ton 8-inch-gun class will become over age in 1937, 1938, and 1939? Any of them at all?

Mr. REED. My recollection is that none of them will, excepting that the *Hawkins* class would; but they are to be sunk anyway and not replaced; so this does not affect their 8-inch cruisers at all.

Mr. McKELLAR. It affects only 6-inch-gun cruisers?

Mr. REED. Yes.

The following communications were ordered to be printed in the RECORD in connection with Article XIX:

DEPARTMENT OF STATE, June 5, 1930.

[Confidential release for publication in the morning papers of Friday, June 6, 1930, and not to be previously published, quoted from, or used in any way]

The following exchange of notes was to-day completed between the Government of the United States and the Governments of Great Britain and Japan relative to the interpretation of Article XIX of the London naval treaty of 1930:

AMERICAN NOTE

"It is the understanding of the Government of the United States that the word category in Article XIX of the London naval treaty of 1930 means category or subcategory. The Government of the United States declares that it interprets the treaty to mean that vessels becoming overage in either subcategory (a) or subcategory (b) of the cruiser categories (Article XVI) shall be replaceable only in that subcategory. The American Government will be most happy to have the confirmation of this understanding from His Majesty's Government."

TRANSLATION OF THE REPLY OF THE JAPANESE MINISTER FOR FOREIGN AFFAIRS

"I have the honor to acknowledge receipt of your note dated May 21, 1930, relative to the interpretation of the word 'category' appearing in Article XIX of the London naval treaty of 1930.

"The Imperial Government understands the word category appearing in Article XIX of the above-mentioned treaty to mean 'category' or 'sub-category'; thus it interprets this treaty in the sense that ships belonging to either subcategory (a) or subcategory (b) of the cruiser category (Article XVI) which shall become overage may be replaced only within that subcategory."

REPLY OF THE BRITISH FOREIGN OFFICE

"Your excellency, in the note No. 611 which your excellency was so good as to address to me on June 4 you stated that it was the understanding of the Government of the United States that the word 'category' in Article XIX of the London naval treaty, 1930, meant category or subcategory. Your excellency added that the Government of the United States declare that it interpreted the treaty to mean that vessels becoming overage of either subcategory (a) or subcategory (b) of the cruiser categories (Article XVI) shall be replaceable only in that subcategory.

"2. His Majesty's Government in the United Kingdom note the above understanding and interpretation of the London naval treaty of 1930 and concur therein. His Majesty's Government in the United Kingdom do so without prejudice to Article XX A of that treaty under which they understand that the tonnage to be scrapped and replaced in the case of the British Commonwealth of Nations by the 91,000 tons of 6-inch-cruiser tonnage which may be completed before December 31, 1936, comprises partly 6-inch-gun cruiser tonnage and partly cruiser tonnage of the 7.5-inch-gun *Effingham* class."

The VICE PRESIDENT. If there be no amendment to this article, the clerk will read the next article.

The Chief Clerk proceeded to read Article XX, as follows:

ARTICLE XX

Notwithstanding the rules for replacement contained in Annex I to Part II:

(a) The *Frobisher* and *Effingham* (United Kingdom) may be disposed of during the year 1936. Apart from the cruisers under construction on April 1, 1930, the total replacement tonnage of cruisers to be completed, in the case of the British Commonwealth of Nations, prior to December 31, 1936, shall not exceed 91,000 tons (92,456 metric tons).

(b) Japan may replace the *Tama* by new construction to be completed during the year 1936.

(c) In addition to replacing destroyers becoming "over age" before December 31, 1936, Japan may lay down, in each of the years 1935 and 1936, not more than 5,200 tons (5,283 metric tons) to replace part of the vessels that become "over age" in 1938 and 1939.

(d) Japan may anticipate replacement during the term of the present treaty by laying down not more than 19,200 tons (19,507 metric tons) of submarine tonnage, of which not more than 12,000 tons (12,192 metric tons) shall be completed by December 31, 1936.

Mr. McKELLAR. Mr. President, I think we will not require the clerk to read all of the article; but I should like to have the Senator from Pennsylvania explain why this special exception is made of the *Frobisher* and the *Effingham*.

It will be recalled that two of the four ships to be sunk by Great Britain by December 31, 1936, are the *Frobisher* and the *Effingham*. Why have another article about the *Frobisher* and the *Effingham* specifically?

Mr. REED. I shall have to go into the dates to explain that to the Senator.

These were in a sense experimental ships. They were the first large cruisers built by any nation—that is, the first with guns over 6 inches—since the days of the old armored cruisers which now are all obsolete.

The *Hawkins* class consists of the *Vindictive*, the *Hawkins*, the *Frobisher* and the *Effingham*. They were laid down in 1916. Two of them were finished pretty promptly; but two of them—the *Frobisher* and the *Effingham*—were not finished until 1924 and 1925, respectively. Both those ships were eight years in building.

The over-age provisions of the treaty would not apply to those two ships before 1936, in the absence of this special provision. We want those four ships to be sunk before this treaty expires, and, of course, it is a help to Great Britain to make it clear that they are the ships to be sunk; so that it suited everybody to put in this provision. They would not become over age as early as the time when they are now to be sunk.

Mr. McKELLAR. Is it proposed that they shall be the last two sunk, or the first two sunk, or how?

Mr. REED. Oh, yes. The *Vindictive* and the *Hawkins* will be the first two.

Mr. McKELLAR. It is not so provided, unless the word "gradually" has some meaning which I doubt.

Mr. REED. No, no. That follows from all these complicated over-age provisions that are in the annexes which we have already passed over. It is complicated, but—

Mr. McKELLAR. It is complicated. If there ever was a complicated treaty on the face of the earth, this is one of them.

Mr. REED. That is all right.

The VICE PRESIDENT. There being no amendment to this article, the clerk will read the next article.

The Chief Clerk read as follows:

ARTICLE XXI

If, during the term of the present treaty, the requirements of the national security of any high contracting party in respect of vessels of war limited by Part III of the present treaty are in the opinion of that party materially affected by new construction of any power other than those who have joined in Part III of this treaty, that high contracting party will notify the other parties to Part III as to the increase required to be made in its own tonnages within one or more of the categories of such vessels of war, specifying particularly the proposed increases and the reasons therefor, and shall be entitled to make such increase. Thereupon the other parties to Part III of this treaty shall be entitled to make a proportionate increase in the category or categories specified; and the said other parties shall promptly advise with each other through diplomatic channels as to the situation thus presented.

Mr. BINGHAM. Mr. President, I should like to ask the Senator from Pennsylvania whether the language as it reads would prevent the construction of a cruiser in subcategory (a) when the other country had signified their intention to build a cruiser in subcategory (b).

Mr. REED. I believe that it would, Mr. President.

Mr. BINGHAM. I had supposed that it would; but it does not specifically mention the subcategory.

Mr. President, I desire to offer an amendment to this article, and I should like to be heard upon it for a few moments.

The VICE PRESIDENT. The Senator from Connecticut proposes an amendment to the article, which will be read.

The CHIEF CLERK. The Senator from Connecticut offers the following amendment:

On page 30, in line 3, after the word "specified," insert the words "without regard to the restrictions of subcategories."

Mr. BINGHAM. Mr. President, I understand that there has been an exchange of notes on this article, in explanation of it. Is that correct?

Mr. REED. No, Mr. President. There was an exchange of notes on the article that has to do with replacement. It was suggested at the hearings before the Foreign Relations Committee by Admiral Jones, I think, first, and subsequently by other officers, that under the terms of the treaty regarding replacement in Article XIX, if a 6-inch-gun cruiser were sunk, an 8-inch-gun cruiser might be built. That was a construction that had never occurred to any of us before, but it was insisted on by Admiral Jones; and thereupon we suggested an exchange of notes between the three governments concerned. I thought they had been put in the RECORD; but, for the sake of clarity, I ask unanimous consent that they may be printed in the RECORD at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. MOSES. May I ask that they be read?

Mr. BINGHAM. I hope the Senator will permit these notes to be printed after we have finished the discussion in regard to Article XXI, because I do not desire to confuse this article with Article XIX, with regard to replacements.

Mr. REED. Very good. I ask unanimous consent that this exchange of notes be printed immediately at the end of the discussion of Article XIX. That is what the notes relate to.

The VICE PRESIDENT. Without objection, it is so ordered. (See Article XIX.)

Mr. MOSES. Furthermore, with the consent of the Senator from Connecticut, will the Senator from Pennsylvania couple with that request that the notes may be read?

Mr. REED. Surely.

Mr. MOSES. I ask that because I have sought—none too diligently, I will admit—to get copies of those notes that were exchanged, and have not been able to do so, and I should like to hear them.

Mr. REED. They were published in the newspapers, and I have a spare copy of one of the newspapers here.

Mr. BORAH. Not only were they published in the newspapers but they have been on the desk of the secretary, to be delivered to anybody who asked for them, for the last three weeks.

Mr. MOSES. What secretary?

Mr. BORAH. The secretary of the committee.

Mr. MOSES. I did not know that, either.

Mr. BORAH. If the Senator had asked, he would have known it.

Mr. REED. They were given to the press on June 5, and I have here an extra copy of the press announcement, which I am glad to turn over to the Senator from New Hampshire.

Mr. MOSES. I am very glad to receive them.

Mr. HALE. Mr. President, will the Senator yield?

Mr. BINGHAM. I yield.

Mr. HALE. These notes refer, as I understand, entirely to Article XIX, and not to Article XXI?

Mr. BORAH. It was so suggested.

Mr. REED. That is correct.

Mr. BINGHAM. Mr. President, to go back to Article XXI, it is a little difficult to discuss the possibilities of this article without perhaps saying something which might offend some other country. I am one of those old-fashioned people who wish that a treaty of this kind might be discussed behind closed doors, in order that we might speak our minds more freely, without any danger of giving offense, but since that is impossible, and since we learned that it is not possible to substitute one subcategory for another subcategory, I should like to explain why I have offered the amendment which has just been read.

According to Article XXI, if any one of the three great naval powers decides that some other naval power, or some other power, is threatening its national existence, it may decide to build ships of any particular category which it deems necessary for the national defense, and may then notify the other two great naval powers of its intention to so proceed, and they may then build ships in proportion of the same character.

When I first read Article XXI, it seemed as though this was entirely adequate protection for the United States. It seems at first sight quite reasonable, that, if England or Japan should decide that they needed more cruisers or more destroyers or more submarines for their national defense, they notify us, and that we be given permission to equal what they were doing in preparation. I take it that would mean, in the case of Japan, that we might build rather more, provided the category were one in which we were entitled to build more in tonnage.

On second thought, it appears that this does not give us real parity. For instance, let us suppose, for the sake of the argument—and, after all, this treaty is intended to protect the national defenses of the United States for a certain number of years to come—that we are not quite so wise in looking forward to what may happen in the next few years as we think we are and that the unexpected and entirely unlooked for happens.

Suppose, for the sake of the argument, that Russia should become a great naval power on the Pacific, or should so threaten Japan within the next two or three years, or within the next two years, as to make Japan believe that it was necessary for her to have more 6-inch-gun cruisers than she is permitted under the treaty.

Perhaps the reductio ad absurdum would be to suppose that China within the next two years might so threaten Japan. I merely mention these things to show what might happen, even though it is quite improbable that they will happen. Still, if we are to decide what is for the best good of the country during the next few years, we should, at any rate, see that we have covered all the possibilities.

Suppose, then, that Japan should notify us that they were threatened by Russia or China, and desired to build a considerable number of 6-inch-gun cruisers in order to meet this threatened danger to their trade and their nationals in Asia.

Suppose, for instance, Japan could decide that she needed to build twelve, or fifteen or twenty 6-inch-gun cruisers for the protection of her commerce and her nationals. Under the treaty as it is presented to us for ratification we would then be given the right to build an equal number, or perhaps a few more, it does not matter much, so far as my argument is concerned. We would be permitted to build a few more, or an equal number, of 6-inch-gun cruisers to meet this additional weight of tonnage and of armament in the Far East.

Our naval experts tell us that the 6-inch-gun cruiser is of no advantage to us at such great distance, that we ought to have larger cruisers, that we ought to have 8-inch-gun cruisers, that we ought to have 8-inch-gun cruisers far preferably to 6-inch-gun cruisers. Therefore I assume that if Japan should find it necessary to build a large number of 6-inch-gun cruisers it would upset the balance of power as arranged under this treaty in so far as the Far East is concerned.

We have interests in the island of Guam, with 25,000 people, and in the Philippines, with 13,000,000 people. We have hundreds if not thousands of our nationals in China. We have a large amount of money invested in China and Japan and the rest of the Far East. It is absolutely essential, as long as we

proceed to uphold our possessions in the Philippines against all comers, as long as we proceed to uphold our intention of maintaining the doctrine of the open door in the Far East, that we should be respected in those waters and that we should not find ourselves in a position of inferiority.

I assume that it is the intention of those who prepared this treaty and have offered it to us for ratification that the balance of power, that the balance of naval strength should not be upset, but should be maintained, in order that the defense of our nationals, in order that the national defense of the United States might be preserved.

Here is an article, however, which, quite within the possibilities, if not within the probabilities, would permit Japan to construct a very considerable number of 6-inch-gun cruisers, upsetting the balance of power in the Far East, and our only answer would be to build a ship which our naval experts tell us we do not need any more of and do not want to build. In other words, it would upset the balance of power, it would interfere with the national defense, it would interfere with the carrying out of our policy in the Far East.

If the amendment which I have offered be agreed to, it would permit us, provided Japan gives notice that she intends to build twelve 6-inch-gun cruisers more than she is allowed under the treaty, to build a corresponding tonnage in 8-inch-gun cruisers, which our experts tell us are what we need in order adequately to meet the situation. It would not permit us to build any more tonnage than that. It would merely enable us to build that in connection with our defense, which would adequately meet the upset condition caused by Japan building a large number of ships of a class which we do not need, and which, if we did build, would, as I see it, not meet the situation in the Far East.

It may be answered that there is no likelihood whatever of Russia or China threatening Japan in the next few years. Granted; but if Japan thinks that they threaten her national security, if Japan thinks, and honestly believes, that they do, or that one of them does, and that she needs more 6-inch-gun cruisers, which can operate effectively near the bases in the Japanese archipelago, then she is permitted under the treaty, making her own decision, to go ahead and build them. No one else has any right to decide whether she needs them or not; no one else has any right to say whether or not Russia or China is opposing her in sufficient strength and with sufficiency of a threat to make it necessary for her to build these cruisers. She is the whole judge of it, and quite rightly so. I do not object in the slightest degree to her having that right. I believe that any nation likely to be threatened by any other should have the right to build whatever she needs to protect her nationals and her territory against aggression. But under the treaty as it reads in Article XXI we do not have that right, as I see it.

Mr. President, I may be mistaken. If I am mistaken, I should be glad to have the Senator from Pennsylvania point out wherein I am mistaken, for I have the highest regard for him and for his colleague the senior Senator from Arkansas [Mr. Robinson], who were responsible in very large part for the writing of this treaty. I have been at most times a supporter of this administration. I believe in this administration and in its desire to protect the United States. Having been on committees with the Senators from Pennsylvania and Arkansas during my brief stay here, I have learned of the interest they have in protecting the national defense, and seeing that it is kept up to concert pitch.

Knowing that, Mr. President, I am all the more astonished that they should ask us to accept this article, which, as I see it, permits an entire upset in the balance of naval power. If the Senator from Pennsylvania can explain that it does not, then I shall withdraw my amendment, but unless a satisfactory explanation is made, I shall ask for a vote on the amendment.

Let me say right here that the amendment does not give us the right, as has been requested by some of the reservations, to build an equal amount of tonnage in any character of ships that we wish. It does not give us the right, for instance, if some other country decides to build submarines, to build an equal number in cruisers or destroyers. It merely provides that if another country decides that it needs more cruisers than the treaty allows it we be allowed to build an equal number of cruisers of whatever type our admirals, our Navy, and our Congress believe is the type which will adequately protect the national defense in case it is threatened with any such upset of naval balance of power as appears possible, even though not likely, under the treaty as it is presented to us.

Mr. HALE. Mr. President, under Article XXI the Senator from Pennsylvania holds, does he not, that if Great Britain, for instance, should increase her number of 6-inch-gun cruisers, we

would be obliged, if we wanted to keep up parity, to make the same increase in the same category?

Mr. REED. That is correct.

Mr. HALE. That has been questioned. I will read a little of the testimony given in the hearings before the Naval Affairs Committee. When Secretary Adams was before us, the following occurred:

The CHAIRMAN. And the other parties to the conference then advise with each other promptly and have the privilege of increasing their armament in the same way that the original party does. Is that correct?

Secretary ADAMS. Yes; that is my understanding.

The CHAIRMAN. The question comes up in that about categories again, as it did in Article XIX. Does the word "category" include sub-category?

Secretary ADAMS. I understand categories allow the nations to build an 8-inch-gun ship even if Great Britain builds a 6-inch-gun ship.

The CHAIRMAN. Why?

Secretary ADAMS. Because it is within the same category, and it uses the word "category" here.

The CHAIRMAN. That was true of Article XIX.

Secretary ADAMS. I think the words are quite different.

The CHAIRMAN. You think the word "replacement" in there makes a difference?

Secretary ADAMS. I do.

The CHAIRMAN. You think if Great Britain should go ahead and build some 6-inch-gun cruisers we would have the right to build 8-inch-gun cruisers?

Secretary ADAMS. I think so.

At a subsequent meeting of the committee, when Admiral Pratt was before us, I put the following questions to him:

But you would say, would you not, that that should be clarified—

That is, Article XXI—

The CHAIRMAN. But you would say, would you not, that that should be clarified, just as Article XIX should be clarified?

Admiral PRATT. If there is any doubt of that in your minds, of course, it should be clarified.

The CHAIRMAN. Well, there must be a doubt, Admiral, because the Secretary testified yesterday in his opinion we could build 8-inch cruisers when they built 6-inch.

Admiral PRATT. If that is the case, of course, it needs clearing up. I don't look at it myself in that way.

It seems to me that there is an ambiguity about the interpretation of this article, and in some way it should certainly be cleared up.

Mr. REED. Mr. President, I think Admiral Pratt is right, and that Secretary Adams is mistaken.

Mr. BORAH. Mr. President, will the Senator, before he goes ahead with the discussion, permit me to read? I thought I remembered something about what was said about it.

Mr. REED. I yield.

Mr. BORAH. Speaking about Article XXI in the hearings, the following occurred:

The CHAIRMAN. Each nation determines for itself whether or not it is menaced?

Secretary STIMSON. Each nation determines for itself as it is left under that clause. They must state to the others the proposed increases and the reasons therefor. It is not a causeless change that is contemplated; it must be one for which they must be willing to stand before the public opinion of the world and say, "A situation has arisen where our national security demands that we increase our ships of this class." In that case, the other powers are given a similar right, restricted, however, to the same categories. We felt that it should neither abrogate the treaty nor open the door to unrestricted construction under any category except the one which the country itself was concerned in. You notice this is limited to new construction.

The CHAIRMAN. Do I understand, by way of illustration, that if France should build, and Great Britain should conclude that by reason of that building she was menaced, Great Britain could initiate building and we would then be confined in our building to the same category that Great Britain began new construction in?

Secretary STIMSON. We would be confined to the same categories that she was.

The CHAIRMAN. Suppose France should build and we should conclude that we were menaced, would we have the right to take our own initiative?

Secretary STIMSON. Absolutely. As drawn, it is a clause which covers equality between any of the three powers.

In other words, if Russia should build and the United States conclude that she was menaced by reason of that fact, she could build 8-inch-gun cruisers if she desired.

Mr. HALE. But there is clearly a divergence of opinion among the delegates themselves about the interpretation of this article. Secretary Adams says that if Great Britain built 6-inch-gun cruisers we could build 8-inch-gun cruisers. Secretary Stimson says we are limited to the same subcategory.

Mr. BORAH. Provided we follow the initiative of that particular nation, but we can take our own initiative under this clause and build whatever kind of ships we think we need.

Mr. HALE. That is quite true if we say we are menaced, but once the other nation takes the initiative we have to follow them.

Mr. BORAH. Oh, no. We have our own right of judgment and our own determination in regard to the matter. We can take our own initiative and there is no appeal from our judgment.

Mr. BINGHAM. Mr. President—

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Connecticut?

Mr. REED. I yield.

Mr. BINGHAM. Just a word in reply to what the Senator from Idaho said. He referred to the fact that it depends on the public opinion of the world. It is quite conceivable that Russia might build a number of 6-inch-gun cruisers in her far eastern ports which would threaten Japan and would not threaten the United States in the slightest degree. In the public opinion of the world that would permit Japan to claim that she must then build a certain number of 6-inch-gun cruisers to meet that situation, but would in no sense permit the United States to claim that she was threatened by Russia because Russia built some 6-inch-gun cruisers and had placed a large number of them in her eastern ports. It would permit Japan to appeal to the world, which would upset the balance of power in the Far East and between ourselves and Japan.

Mr. BORAH. The Senator from Idaho said nothing about the judgment of the world.

Mr. BINGHAM. The Senator read from his committee hearings an explanation of what this meant. I am sure the Senator will agree with me that it does depend in large measure upon the public opinion of the world whether we can get away with building something that we do not need to build. For us to say that we were threatened by Russia because she built a dozen 6-inch-gun cruisers in her eastern ports would only lead to a charge of bad faith on our part, whereas the same thing might not lead to the same result on the part of Japan at all.

Mr. BORAH. We would be as much interested in the situation in the Pacific as Japan in case Russia should initiate such a building program, and then we would have to determine what kind of ships would enable us to meet the Russian menace. I use the illustration purely for illustration and not because I think such a thing at all probable.

Mr. BINGHAM. The Senator from Idaho would claim that if Russia should put a dozen new 6-inch-gun cruisers in her far eastern ports it would permit Japan to claim that she might build a dozen 6-inch-gun cruisers for her defense, and it would permit us to say we needed a dozen 8-inch-gun cruisers for our defense, which would then give Japan the right to say that if we were building 8-inch-gun cruisers she would like to build some, too, whereupon she might build in both categories and we could only build in one.

Mr. BORAH. I do not know what construction is placed upon this by the delegates, and I am not speaking with any authority in that respect, but when the Secretary was before the committee I was interested in this particular proposition because I had in mind something undoubtedly which is crystallized in the amendment which has been offered by the Senator from Connecticut. What I desired to know was whether the right of initiative belonged to each nation. Of course, if Great Britain should propose to build 6-inch-gun cruisers and we should follow, by reason of Great Britain's action we would have to build in the same category.

Mr. HALE. And in the same subcategory.

Mr. BORAH. Yes; but if we contemplated that we were menaced by reason of any action upon the part of any outside power, it was my understanding that we would have the right to determine what kind of ships we needed to meet that particular menace.

Mr. BINGHAM. Undoubtedly. I do not think anything I have said conflicts with that statement. Before introducing the amendment I asked the Senator from Pennsylvania whether or not it would permit us to build in a different subcategory, and he said that it would not, in his understanding.

Mr. REED. Suppose Japan under those circumstances did build some more 6-inch-gun cruisers; that would upset the ratio, as the Senator said, but it would upset the ratio only in 6-inch-gun cruisers, and we have a perfect right to build our proportionate share of 6-inch-gun cruisers to restore the ratio. If

that clause were unfairly availed of, if it were not a genuine menace against Japan from Russia, it would be a breach of faith on her part to resort to that clause. I do not believe as a practical matter that there is one chance in a million of a breach of faith in that regard by any one of the three countries which have signed Part III of this treaty.

Let me tell the Senate very candidly for what this is needed. The present French fleet of submarines consists of 44 ships. France has a "project of a law" of 1924, what she calls her statut navale, which never really was a law, because it never went through the French Parliament and never became a law, but has been used as a sort of program up to which she built. As I said, she has completed 44 submarines. She recently has launched a tremendous campaign of building new ones. At the moment we went to London, which is the latest information available, in addition to the 44 which she had built she was actually building 47 new ones and has authorized 11 more, a perfectly tremendous program that would have given her more submarines than any country on earth.

Great Britain was naturally concerned about that, because the building of all those ships, the whole 102 of them, would mean infinite embarrassment not only to her channel ports but to all ports of Great Britain in case of hostilities between the two countries. Great Britain wanted to provide that in case that program was carried out she, Great Britain, might be allowed to increase her destroyer fleet to 200,000 tons. After a great deal of discussion about it and a great many references to her admiralty board and back again, she finally agreed that on the French program now in progress she would try to meet it with the 150,000 tons of destroyers which the treaty gives her, and she agreed to limit this escalator clause to new construction. As the Senate will see, it applies only to new construction commenced hereafter by some power other than Great Britain or Japan or ourselves.

In all the long discussions of the clause that was the only contingency that was suggested which would compel a resort to it. The Japanese very frankly stated they saw no conceivable combination of circumstances that would lead them to resort to it, and we with equal frankness said we could not see anything on the high seas with which we were concerned that would lead us to resort to it. But we all have the right to do it, and everybody realizes it.

Assuming the improbable, that China suddenly developed a great fleet between now and 1936, or that Russia did or that Mexico did or some country which does not now loom up as a naval power, then any one of us that feels himself menaced may increase in cruisers or destroyers or submarines or all three of them as he sees fit. Obviously we depend considerably on the good faith of the countries that are parties to it, but if their faith was not good they never would have entered into the treaty in the first place.

We all felt very conscious, first, that there would be good faith shown in the use of the clause, and next that the very existence of the clause would prevent reckless programs of building by outside countries who might otherwise think that they had a chance to increase their power in relation to Great Britain or Japan or us while we were tied up. The very liberty of power given by the escalator clause is some ground for thinking that it will never be used. I believe it was in mind in France and Italy, when they agreed on their naval holiday until next year. I believe that without the escalator clause there undoubtedly would have been a temptation to build up a force which could not have been adequately met. As long as this clause is here we know it can be adequately met.

The Senator from Idaho [Mr. BORAH] has put his finger on the decisive point, and that is that in our melancholy discussion of what might happen under this clause we have always assumed that the initiative rests with the other nation and that all we could do would be to follow tamely along and duplicate what it did. But, as the Senator from Idaho pointed out, the initiative is ours just as it is theirs. The discretion in taking the initiative is our free discretion just as much as it is the other nations. Given any circumstances that lead to a resort to this clause, and we are equally free in our uncontrolled discretion to say that we have to have a particular type of ship to meet the existing menace and nobody can say nay.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. BINGHAM. It does not seem to me that the Senator has covered the situation in his reference to what the Senator from Idaho said, because it is perfectly true, as the Senator from Idaho pointed out, that we might say that we were menaced by Russia and therefore we must build 8-inch-gun cruisers; but if we were not menaced by Russia we could not so claim, but we would not make the claim that, because Japan had built 15 or 20 of the 6-inch-gun cruisers, we were menaced and there-

fore might build some 8-inch-gun cruisers. It is only with regard to nations outside of the three concerned that what the Senator from Idaho pointed out is true.

Mr. REED. I can not conceive of any combination of circumstances within the range of human probability that would create a menace for Japan in the Russian fleet that would not similarly be a menace to us.

Mr. BINGHAM. That may be very true.

Mr. REED. It is true.

Mr. BINGHAM. That does not change the fact that if Japan increases her navy under this provision we are not permitted to build that which we desire to build in order to meet that increase. It is only in connection with the countries outside of those three.

Mr. REED. It is equal in its application to all three of us. I can not see any unfairness whatsoever to the United States in it.

Mr. ROBINSON of Indiana. Mr. President—

Mr. REED. I yield to the Senator from Indiana.

Mr. ROBINSON of Indiana. I understand that the situation is as the Senator from Pennsylvania suggests, but my understanding also is that there would have been no so-called escalator clause drawn had it not been demanded by Great Britain.

Mr. REED. I have explained that it was caused by the French submarine program.

Mr. ROBINSON of Indiana. If the Senator will be patient for a moment, let me say the general impression is that Great Britain has always desired and still desires a 2 to 1 arrangement for her navy; that is to say, at any rate so far as European powers are concerned she wants to have twice as much tonnage and twice as much effectiveness on the sea as any one or any two other nations in Europe.

Mr. REED. She does not begin to have the 2 to 1 standard in vessels such as submarines and destroyers.

Mr. ROBINSON of Indiana. No; but her fleet does balance as a whole. That has always been the desideratum, I think, and that has always been the idea toward which she was working as mistress of the seas. She feared the building competition between Italy and France, and because of that she demanded an escape clause. In the event the rivalry should continue between Italy and France, and they should continue to build up more closely to Great Britain's strength, Great Britain desired the right to increase her own strength without the formality of another conference. So, because she demanded it, the escape clause was written in the treaty, and there could not have been a treaty had not that escalator clause been put into it.

Mr. President, again getting back to the question raised by the Senator from Connecticut, I do not think that question has been answered at all. Assuming what I have said is true, or fairly accurate, I agree that under the treaty as it reads each of the three high contracting parties may take advantage of the so-called escalator clause; but I think it is fair to assume that if any one takes advantage of it, it will be Great Britain, and for the reason I have outlined, namely, to continue her strength vastly superior to the strength of Italy and France or the combined strength of the two nations. If she shall take advantage of it and shall increase the number of her 6-inch-gun cruisers, then if we shall build we will have to build precisely the arm she may have built. If she builds submarines, we must build submarines; if she builds any other sort of naval craft, we must build that identical kind of vessel; or else we can take the initiative, as has been suggested by the Senator from Idaho. I grant that, according to the treaty, we could do that; but we could have no reason, and we would have no reason for doing so, as the Senator from Connecticut has pointed out. We could say, "We are going to build an additional number of cruisers because Great Britain has done so on her own initiative," thereby resorting to what seems to me to be "sharp practice," as it is called in the law, for really we would be doing it because of the action of Great Britain; but, in order to take the initiative, we would have to invent another excuse, and immediately the suspicion of the world would be aroused, and the question would be asked: "Against whom is the United States building?"

Assume Great Britain takes the initiative in order to compete with France and Italy; they do not concern us; but we must build in order to have something like continued parity with Great Britain and, in order to get the arm we desire, we would necessarily have to take the initiative. We would not take the initiative against France and Italy, for they do not menace us. Then, against whom would we assume the initiative and how could we take the initiative, as the Senator from Idaho suggests, without inviting the suspicion of the whole world against us, and especially of Japan? Thus the possibility

of warfare would be increased. So I do not yet see that an answer has been made to the Senator from Connecticut.

Mr. BINGHAM. Mr. President, I should like to ask the Senator from Pennsylvania what objection there is to the amendment? He has told us why the clause was drawn in its present form. I have stated that I realize in its present form it has certain advantages, in that it prevents other countries from going ahead in an effort to build beyond one of the three high contracting parties; but there is, as has just been pointed out, this situation with regard to the difference between 6-inch-gun cruisers and 8-inch-gun cruisers. As was stated by our representatives at Geneva, and as has been repeatedly stated on this floor and elsewhere by naval experts, we do not need a lot of 6-inch-gun cruisers. Great Britain needs a great many more than we do and can use them. Yet, as has just been said by the Senator from Indiana, if Great Britain, taking advantage of this clause, and justly so, builds a large number of 6-inch-gun cruisers to meet the situation—

Mr. REED. Mr. President, there is not the slightest possibility of her building 6-inch-gun cruisers. If she builds anything, it will be destroyers.

Mr. BINGHAM. Then what is the objection to the amendment as offered?

(At this point messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.)

Mr. ROBINSON of Indiana. Mr. President, will the Senator from Pennsylvania permit me to ask another question? I do not care, of course, to cross-examine the Senator; I merely want to ask a question, and the Senator may answer or not, as he desires.

Mr. REED. I shall be glad to answer the question.

Mr. ROBINSON of Indiana. Is it not true that had we refused to agree to the escalator clause and to its insertion in the treaty there would have been no treaty?

Mr. REED. There probably would not have been, because it would have put the three countries that have joined in Part III at the mercy of the remainder of the world.

Mr. ROBINSON of Indiana. Precisely; but in 1922 we agreed to a clause that permitted a conference to be called later, where all the parties to the treaty could get together and change the treaty if any nation felt it was threatened. Was that expedient suggested in the case of the London treaty?

Mr. REED. We did not want any political arrangement whatsoever in the treaty. We did provide in the escalator clause that if it shall be used the parties shall confer with one another and communicate to and from as to the situation that shall be presented; but we did not want the sovereign action of the United States to be limited by the future agreement of some other countries. It would be the old League of Nations business over again, and we were not going to get into it sideways or backwards.

Mr. ROBINSON of Indiana. According to the Washington treaty, that was all taken care of in a different manner. If any nation felt itself menaced, then it could immediately suggest a conference, and the nations could get together and change the terms of the treaty.

Mr. REED. That is all very well. The Washington conference was dealing with capital ships, and every nation in the world which possessed any such ships of any consequence was a party to that treaty. In view of that fact, and the length of time it takes to build capital ships, the provision referred to by the Senator from Indiana may have been all right in that instance, but it would not be all right in this case.

Mr. ROBINSON of Indiana. Mr. President, I should like to ask the Senator another question. Am I to assume from what the Senator says that the United States delegation was backing the escalator clause?

Mr. REED. The American delegation recognized its reasonableness—

Mr. ROBINSON of Indiana. The American delegation simply acquiesced, did it not, in the demand of Great Britain that this clause should go in; otherwise there would be no treaty? Is not that the fact?

Mr. REED. Not at all. The American delegation changed the whole form of it; they refused to agree to it as it was presented, and agreed finally to it in its present form. I tried to explain that. I am sorry the Senator was not in the Chamber at the time.

Mr. ROBINSON of Indiana. Let me ask the Senator further—and I repeat I do not care to embarrass the Senator—Was it not demanded by Great Britain that a clause of that kind go in; and was not Great Britain the only nation that did demand it?

Mr. REED. It was perfectly evident to everybody in London when France and Italy would not join in Part III that some such provision was necessary.

Mr. ROBINSON of Indiana. That does not answer my question.

Mr. REED. And it was perfectly evident that Great Britain was the only one of the three that was likely to be menaced, and that it was her interest that she would have to look out for.

Mr. ROBINSON of Indiana. Then it was demanded by Great Britain, and America acceded to the demand?

Mr. REED. That is just a form of words.

Mr. HALE. Mr. President, I think it is a deplorable and very dangerous thing for the Senate to accept this article, when the delegates who signed the treaty are not able to agree on its meaning. I can not conceive of this being done. In some way the article should be clarified.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Connecticut. [Putting the question.]

The amendment was rejected.

The VICE PRESIDENT. The Secretary will report the next article.

The Chief Clerk read Part IV, Article XXII, as follows:

PART IV

ARTICLE XXII

The following are accepted as established rules of international law:

(1) In their action with regard to merchant ships, submarines must conform to the rules of international law to which surface vessels are subject.

(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew, and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.

The high contracting parties invite all other powers to express their assent to the above rules.

Mr. MOSES. Mr. President, I wish to move an amendment to this article. In the second line of paragraph (1), before the word "merchant," I move to insert the word "unarmed," and in the eighth line of paragraph (2), before the word "merchant," to insert the same word, to wit, "unarmed."

I do not wish to take time to discuss this amendment, Mr. President, because it is a matter to which I adverted in the speech which I was permitted to make to the Senate yesterday; but in this article as it now stands I feel warranted in saying there is contained whatever germ of future war there is in this instrument or, indeed, in our international relations.

The fact is that, as this article now stands, under the rules of international law referred to in paragraph (1) a ship may be unarmed or armed as its commander at the time may see fit; that this afternoon a British merchantman with guns intercepting a neutral trader, probably flying the American flag, would consider itself an armed vessel and could capture or sink the neutral trader, presumably American, or otherwise deal with it as it saw fit. To-morrow morning, however, the same ship, meeting a submarine or a cruiser, or even a destroyer, not using its guns, could claim immunity as an unarmed ship.

In my opinion the amendment which I have offered is so simple, is so clarifying, and is so fully in line with the advertised purpose of this treaty—namely, to preserve the peace of the world—that I can see no reason why the Senate should not agree to it, and in particular I can see no reason why the other signatories should not accept it.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New Hampshire.

The amendment was rejected.

The VICE PRESIDENT. The Secretary will report the next article.

The Chief Clerk read Part V, Article XXIII, as follows:

PART V

ARTICLE XXIII

The present treaty shall remain in force until the 31st of December, 1936, subject to the following exceptions:

(1) Part IV shall remain in force without limit of time;

(2) The provisions of Articles III, IV, and V, and of Article XI and Annex II to Part II so far as they relate to aircraft carriers, shall remain in force for the same period as the Washington treaty.

Unless the high contracting parties should agree otherwise by reason of a more general agreement limiting naval armaments, to which they

all become parties, they shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present treaty, it being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to.

The VICE PRESIDENT. If there be no amendment to Article XXIII, the clerk will read the next article.

The Chief Clerk read as follows:

ARTICLE XXIV

1. The present treaty shall be ratified by the high contracting parties in accordance with their respective constitutional methods and the ratifications shall be deposited at London as soon as possible. Certified copies of all the procès-verbaux of the deposit of ratifications will be transmitted to the Governments of all the high contracting parties.

2. As soon as the ratifications of the United States of America, of His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, in respect of each and all of the members of the British Commonwealth of Nations as enumerated in the preamble of the present treaty, and of His Majesty the Emperor of Japan have been deposited, the treaty shall come into force in respect of the said high contracting parties.

3. On the date of the coming into force referred to in the preceding paragraph, Parts I, II, IV, and V of the present treaty will come into force in respect of the French Republic and the Kingdom of Italy if their ratifications have been deposited at that date; otherwise these parts will come into force in respect of each of those powers on the deposit of its ratification.

4. The rights and obligations resulting from Part III of the present treaty are limited to the high contracting parties mentioned in paragraph 2 of this article. The high contracting parties will agree as to the date on which, and the conditions under which, the obligations assumed under the said Part III by the high contracting parties mentioned in paragraph 2 of this article will bind them in relation to France and Italy; such agreement will determine at the same time the corresponding obligations of France and Italy in relation to the other high contracting parties.

The VICE PRESIDENT. If there be no amendment to this article, the clerk will read the next article.

The Chief Clerk read as follows:

ARTICLE XXV

After the deposit of the ratifications of all the high contracting parties His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland will communicate the provisions inserted in Part IV of the present treaty to all powers which are not signatories of the said treaty, inviting them to accede thereto definitely and without limit of time.

Such accession shall be effected by a declaration addressed to His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

The VICE PRESIDENT. If there be no amendment to this article, the clerk will read the next article.

The Chief Clerk read as follows:

ARTICLE XXVI

The present treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland. Duly certified copies thereof shall be transmitted to the governments of all the high contracting parties.

In faith whereof the above-named plenipotentiaries have signed the present treaty and have affixed thereto their seals.

Done at London, the 22d day of April, 1930.

The VICE PRESIDENT. If there be no amendment to this article, the treaty will be reported to the Senate.

The treaty was reported to the Senate without amendment.

The VICE PRESIDENT. The treaty is in the Senate and open to amendment.

Mr. BORAH. Mr. President, I offer the resolution of ratification and ask that it be read.

The VICE PRESIDENT. Is there objection to the offering of the resolution at this time?

Mr. JOHNSON. Mr. President, just what is the purpose of the offer of the resolution at this time?

Mr. BORAH. My purpose is to offer the resolution at this time and then move to adjourn until Monday.

Mr. JOHNSON. What does that mean? We will adjourn until Monday, and the resolution can not come up until Tuesday?

Mr. McKELLAR. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Under the rules the resolution would come up on Monday. If objection is made to it to-day, it can be offered Monday and taken up for consideration immediately under the rule.

Mr. JOHNSON. I was under the impression that it had to lie over for a day.

The VICE PRESIDENT. It does not have to lie over for a day. It simply must be presented a day later.

Mr. BORAH. That is the purpose of offering it at this time, so as to lie over until Monday.

The Chief Clerk read the resolution of ratification, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive I, Seventy-first Congress, second session, a treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

PAYMENT OF MILEAGE

As in legislative session,

Mr. WATSON submitted the following resolution (S. Res. 329), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the appropriation for expenses of inquiries and investigations, contingent expenses of the Senate, fiscal year 1930, to Senators their mileage for the present special session of the Senate.

ADJOURNMENT

Mr. BORAH. In executive session, I move that the Senate adjourn until Monday next at 11 o'clock a. m.

The motion was agreed to; and (at 4 o'clock and 32 minutes p. m.) the Senate adjourned until Monday, July 21, 1930, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 19 (legislative day of July 8), 1930

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

William M. Jardine, of Kansas, to be envoy extraordinary and minister plenipotentiary of the United States of America to Egypt.

ADMINISTRATOR OF VETERANS' AFFAIRS

Frank T. Hines, of Utah, to be Administrator of Veterans' Affairs.

MEMBERS OF THE FEDERAL POWER COMMISSION

The following-named persons to be members of the Federal Power Commission for the terms herein stated, as follows:

For the term expiring June 22, 1931, Claude L. Draper, of Wyoming.

For the term expiring June 22, 1932, Ralph B. Williamson, of Washington.

For the term expiring June 22, 1933, Marcel Garsaud, of Louisiana.

VICE GOVERNOR OF THE PHILIPPINE ISLANDS

Nicholas Roosevelt, of New York, to be Vice Governor of the Philippine Islands.

COLLECTOR OF INTERNAL REVENUE

A. Pendleton Strother, of Roanoke, Va., to be collector of internal revenue for the district of Virginia in place of John C. Noel.

SENATE

MONDAY, July 21, 1930

The Senate met in executive session at 11 o'clock a. m.

W. E. BROOK, a Senator from the State of Tennessee, and SMITH W. BROOKHART, a Senator from the State of Iowa, appeared in their seats to-day.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Goldsbrough	McKellar	Shipstead
Bingham	Gould	McMaster	Shortridge
Black	Greene	McNary	Smoot
Borah	Hale	McNiff	Stetwer
Brook	Harris	Moses	Sullivan
Brookhart	Harrison	Norris	Swanson
Capper	Hastings	Oddie	Thomas, Idaho
Caraway	Hatfield	Overman	Thomas, Okla.
Copeland	Hebert	Patterson	Townsend
Cousens	Howell	Philips	Trammell
Dale	Johnson	Pine	Vandenberg
Deneen	Jones	Pittman	Wagner
Fess	Kean	Reed	Walcott
Fletcher	Kendrick	Robinson, Ark.	Walsh, Mass.
George	Keyes	Robinson, Ind.	Walsh, Mont.
Gillet	King	Robison, Ky.	Watson
Glass	La Follette	Schall	
Glenn	McCallloch	Sheppard	

Mr. LA FOLLETTE. I desire to announce that my colleague the junior Senator from Wisconsin [Mr. BLAINE] is absent on official business of the Senate. I will let this announcement stand for the day.

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORBECK] is unavoidably absent on official business, and that he will be absent for the remainder of the session.

Mr. SHEPPARD. I desire to announce that the senior Senator from South Carolina [Mr. SMITH] and the senior Senator from Missouri [Mr. HAWES] are detained from the Senate by illness.

I also wish to announce that the senior Senator from New Mexico [Mr. BRATTON] and the junior Senator from South Carolina [Mr. BLEASE] are detained from the Senate by illness in their families.

I also announce that the Senator from Arizona [Mr. ASHURST], the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. CONNALLY], and the Senator from Kentucky [Mr. BARKLEY] are absent on official business, attending sessions of the Interparliamentary Union in London.

Mr. FESS. I desire to announce that the junior Senator from North Dakota [Mr. NYE] is detained on business of the Senate, attending sessions of the special committee to investigate campaign expenditures. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy Senators have answered to their names. A quorum is present.

FRANK T. HINES, ADMINISTRATOR OF VETERANS' AFFAIRS

Mr. SMOOT. From the Committee on Finance I report back favorably the following nomination and ask for its immediate consideration.

The VICE PRESIDENT. The nomination will be reported.

The Chief Clerk announced the nomination of Frank T. Hines, of Utah, to be Administrator of Veterans' Affairs.

The VICE PRESIDENT. Without objection, the nomination will be confirmed, and the President will be notified.

MEMBERS OF FEDERAL POWER COMMISSION

Mr. COUZENS, from the Committee on Interstate Commerce, reported favorably the following nominations, which were placed on the Executive Calendar: To be members of the Federal Power Commission for the terms stated. For the term expiring June 22, 1931—Claude L. Draper, of Wyoming; for the term expiring June 22, 1932—Ralph B. Williamson, of Washington; and for the term expiring June 22, 1933—Marcel Garsaud, of Louisiana.

TARIFF VIEWS OF IDAHO STATE GRANGE

As in legislative session,

Mr. THOMAS of Idaho. Mr. President, I ask unanimous consent to have printed in the RECORD a statement of the tariff committee of the Idaho State Grange with reference to the tariff act of 1930.

The VICE PRESIDENT. Without objection, it is so ordered. The statement is as follows:

[From the Boise Capital News, Boise, Idaho, July 15, 1930]

GRANGE PLEASED OVER INCREASES IN TARIFF BILL—COMMITTEE REPORTS IDAHO PRODUCERS REALLY RECEIVED MORE THAN ORGANIZATION ASKED FOR IN SCHEDULE

The recent tariff law passed by Congress benefits Idaho producers far more than the State grange committee, appointed to recommend certain schedules in it, anticipated when it submitted its recommendations. This is made clear in the report of the committee that has been presented to the Grange by its member, Ray McKaig, chairman, and W. W. Dell, State master.

The report of the committee, as submitted by Mr. McKaig, is as follows:

"Your committee, consisting of State Master W. W. Dell and myself, representing the State Grange of Idaho on the Idaho State Tariff Commission, met a year ago last winter in a number of conferences to help draw up a schedule of tariff rates for Idaho agriculture and sent this request for higher tariff on Idaho products to the congressional delegation at Washington, urging them to support it as far as possible. We are glad to inform you that the new tariff schedule is by all odds the best tariff bill for agriculture in Idaho that has ever been presented, and that the demands of the Idaho Agricultural Committee have been granted on some items beyond our fondest expectations.

"For example: the Twin Falls district and other sections asked for 3 cents a pound protection on dried beans; the present tariff is 1½ cents. Three cents is the rate in the new law. We asked for 2½ cents a pound on onions; 1½ cents is the old law, yet we got our new demand. On alfalfa and alsike clover seed the old law is 4 cents a pound. We requested 8 cents. We got our request. One of the bitterest fights put up in Congress was against our demand for 6 cents a pound tariff

on casein to give our cooperative creameries protection. Some of the big publishing companies in the East waged bitter warfare against increasing the rate, which was 2½ cents a pound, because casein is used extensively in gloss paper. We wanted 6 cents a pound; we got 5½ cents.

"The big leak in the sheep market was the tariff on wool rags. True, there was a protection of 31 cents a pound on wool, which was increased to 34 cents a pound, but woolen rags were made by the foreign manufacturers and shipped into this country under a tariff protection of 7½ cents a pound under the old law, and so great were the shipments that it became a regular flood. These woolen rags were remade into clothing. To-day we have a tariff of 18 cents a pound under the new law against woolen rags. The old tariff on milk was 3¼ cents a gallon.

"The Agricultural Committee asked for 4 cents. The eastern dairymen helped raise it to 6½ cents per gallon. Cream rate has been increased from 30 cents to 56 cents per gallon. The old law was 12 cents a pound on butter protection; now it is 14 cents. Poultry had 3 cents a pound protection; now it is 8 cents on live fowl. Dressed fowl was 6 cents a pound; now it is 10 cents. Fresh and preserved eggs both have been substantially increased. Potatoes have been raised from 50 cents to 75 cents per 100 pounds through the new tariff law. Beef and veal have been increased from 3 to 6 cents a pound, and under the livestock schedule the cattle rate has been increased 33 per cent.

"The slight increase on the sugar tariff, though the back door is open from Hawaii and the Philippines, will increase the returns to the farmer of eastern Idaho to at least 60 or 70 cents a ton more on sugar beets.

"The stand of the National Grange on tariff, if we understand it correctly, is substantially as follows: That since we have a protective tariff law in this country, agriculture is entitled to such protection in the same ratio as the organized industries, so Idaho agriculture got a very gracious treatment from Congress in this last tariff bill. In fact, the rates on agricultural products of Idaho are the highest ever written in the tariff bill, and we feel that many of them will be of particular benefit to the different products grown in our State.

"It is remarkable and pleasant to note how the agricultural rates of the new law conform to the requests of the Idaho agriculture committee. We owe a debt of gratitude to the delegation who worked faithfully for our interests. A very strong fight was made in the East against this bill because it protected agriculture too much, and the Hearst papers and other chain papers fought it viciously by editorial and cartoon. A number of manufactured products, especially of interest and value to the farmer, such as agricultural machinery, etc., were admitted free."

THE EIGHTEENTH AMENDMENT—SPEECH BY CONGRESSMAN ANDREW, OF MASSACHUSETTS

As in legislative session,

Mr. GILLETTE. Mr. President, I ask unanimous consent to have printed in the RECORD a speech by Congressman ANDREW, of Massachusetts, delivered at Amesbury, Mass., on July 17.

The VICE PRESIDENT. Without objection, it is so ordered. The speech is as follows:

Some time ago I promised that after Congress had adjourned, and I was freed from the pressure of more immediate problems, I would endeavor to make a clear statement of my position on the eighteenth amendment, and I hope you will not mind my choosing this occasion to keep that promise.

Anyone would be optimistic indeed who thought he could speak a final or convincing word to-day upon a question so deeply mired in prejudice and passion. But I think you will agree with me in this, if in nothing else that I may say to-night, that one in public life can deal no better with such a situation than to shed the inhibitions of expediency, be honest with himself, and try to think and speak the truth. Even for one imbued with such a purpose, the problem presented by the eighteenth amendment is not easy. It has so many sides and angles of approach.

The familiar parable of the blind men of Hindustan and the elephant is very much in point. One of the men, you will remember, who felt the elephant on its hard, rough flank, thought it was a wall; another, who grasped its leg, that it was more like a tree; a third, who clutched the squirming trunk, that it was a snake; the fourth, who touched the pointed tusk, that it was like a spear; while still another, seizing the flapping tail, was sure it was a rope. They were all right, each from his own angle, but they were all wrong, because the elephant was much too big for any of them to grasp as a whole.

NEED FOR AN ORGANIZED INQUIRY

There are a great many angles from which the eighteenth amendment can be regarded, and, unfortunately, few of its commentators are as calm as probably were the blind men of Hindustan. One who tries to discuss it honestly and frankly must not only feel his way through a maze of conflicting impressions and dogmatic assertions of opinion but must be prepared to make the effort in a measure of criticism and abuse. Because of this I have long contended that what we most need

in dealing with this problem is a cool-headed, comprehensive survey of all its variant aspects, not by committees and organizations whose conclusions are formed in advance, and who seek only evidence that will confirm their preconceived ideas, but by a detached, unbiased body of men and women, who have no theory to prove and whose only aim is to find the truth and the whole truth. Mr. Hoover, in his acceptance address of two years ago, when speaking of what he called the "great experiment," had advocated just such an "organized searching inquiry," but Congress in the following session dodged the issue and authorized instead a much-diluted inquiry into the enforcement of all laws—an altogether different proposition.

Convinced that the original Hoover idea was the most sensible, the most fair, and the most promising avenue of approach to this particular problem, I endeavored last year by every possible means to persuade Congress to return to that proposal. The bill which I sought to have adopted would have directed the Wickersham Commission—a representative group of judicially minded men and women—to study the subject of our liquor legislation from the ground up, and would have provided them for that purpose abundant time, money, and authority to engage the most competent experts that could be found, and to conduct exhaustive and scholarly investigations wherever in this country or abroad they might see fit.

All that the vast majority of the American people want and all that any right-minded American wants is the truth. If the present laws and methods are working satisfactorily, let us know it. But if they are not, let us know that also. Such an investigation would have given us unprejudiced information about this which we now lack. It seemed a common-sense proposal, and one assumed that it merited and would receive the support of all who are actively interested in the question regardless of their predilections.

"DRY" OPPOSITION TO IMPARTIAL INVESTIGATION

Unfortunately it must be recorded that this assumption proved ill grounded. A letter addressed to the responsible heads of every national organization and committee known to be concerned with prohibition, whether pro or con, bespeaking their support and asking for their opinions and suggestions, brought an amazing and disillusioning response. Not a single representative of any of the organizations commonly spoken of as "dry," expressed anything but hostility to the proposal, and some of them replied in terms of harsh and bitter condemnation that might appropriately have been applied to the projects of a gangster or a racketeer. Whether or not they fear the truth, who can say? The fact remains that from first to last the proposal of an unbiased investigation encountered both directly and indirectly the persistent and determined opposition of these organizations and their agents. In the end their will and influence prevailed and the project of a scientific inquiry was thwarted.

So long as there was any possibility of such an organized inquiry, I refrained not only from expressing but even from attempting to formulate in my own mind any definite opinion upon the merits of the varying points of view. Now, however, that that door is closed, I feel bound to do so, even though my opinion must be based only upon such limited observation and information as have come my way during the time that I have been able to devote to the subject. I believe that nothing but good can come from frank and honest discussion, and that the moment has arrived when those whose special duty it is to deal with the Nation's problems ought to give attention to the most tormenting problem in our national life.

ORIGIN OF EIGHTEENTH AMENDMENT

The attempt to deal with intemperance by prohibition dates back many centuries in other parts of the earth, but is of very recent origin in the Western World. The Hindus for 2,000 years have prohibited not only the manufacture, transportation, and sale but even the use of all fermented beverages, and for 2,000 years their prohibitory laws have been ignored or only nominally observed by all classes. The Mohammedan countries for 1,300 years have had similar laws, and except among a few small sects their experience has been no different.

Among Christian peoples no such experiment had been tried until within the span of years of men now living. The first attempt was in the State of Maine in 1851. Between that date and the outbreak of the World War 24 of our States had at one time or another adopted prohibition, but when the war began most of them had abandoned it, and only nine, of scant and scattered population, mostly in the South, remained under prohibitory laws. During the course of the war 19 other States, in the main also of rural population, adopted it, but they had little chance to test their legislation, for suddenly, with the need of saving grain for the troops and peoples engaged in the war, the proposal of nation-wide prohibition was launched and adopted. Then, as the war ended, it was proposed to make national prohibition permanent, and under the stimulus of war-time emotion this proposal also met enthusiastic support.

Our people, militant with the spirit of victory, and imbued with a willingness to make any sacrifice for what they thought to be a patriotic cause, recognized nothing at the moment as unattainable for a country which had just been the deciding factor in the greatest war the world had ever known. Few stopped to question whether the

spirit of sacrifice which had animated the Nation during the war was likely to continue, or what would happen when the tide of emotion had receded. Few stopped to ask whether the proposal was feasible or practicable, whether it took due account of divergences of opinion and customs in different sections of the country which sooner or later were bound to reappear. Few stopped to inquire what would eventually be involved in the way of further legislation, regulations, penalties, government bureaus, and multitudinous enforcement personnel and machinery. Few were concerned about its consistency with our conception of natural rights, or our traditions of local self-government, or even about its appropriateness to the Federal Constitution. The country at the moment seemed too near the millennium to be cautious about such things, and our legislators, in the several States as well as in Washington, had little difficulty in deciding that success was not to be doubted, and that the great experiment of nation-wide prohibition should be made permanent and incorporated in the National Constitution.

EIGHTEENTH AMENDMENT UNDERMINING THE CONSTITUTION

However Americans may differ about nation-wide prohibition in itself, I know of no recognized authority on American government who does not to-day agree that the eighteenth amendment is fundamentally out of place in the Constitution, and that it was a grave mistake to place it there. The Constitution is a charter of government and was not intended to be a code of laws. Its only purpose was to establish the Government's framework. It defines the agencies and powers of the National Government, protects the States from Federal encroachments upon their original authority and safeguards its citizens in the exercise of their inalienable rights. The Constitution was not designed to be, and ought never to have been made the vehicle of any statutory enactment, irrespective of the subject matter, whether agriculture, industry, commerce, banking, education, crime, or anything else. A law, no matter how important, dealing with murder, arson, embezzlement, burglary, or bigamy would not properly belong in the Constitution. Even more out of place is a law concerning particular kinds of beverages.

It would have been appropriate (whether necessary or wise is, of course, another question) to adopt a constitutional amendment transferring from the States to the Federal Government authority to deal with these beverages, or with any of the other subjects which theretofore had been reserved for State control. But the interpolation in the Constitution of a specific method or system of dealing with them was wrong. It would have been wrong to put the Federal reserve system, or the farm-relief system, or the method of regulating interstate commerce, or the flexible tariff into the Constitution. It was equally wrong to put the prohibition system there. Such an inappropriate treatment of our great charter had never occurred before the eighteenth amendment, and its adoption marked a radical departure from all the traditions and precedents established during an experience of 130 years.

Irrespective of whether prohibition is good or bad as legislation, its insertion in our Constitution has done incalculable harm to the standing and authority of that immortal document. It has brought about a lowering of regard for that "master work of master minds" which from our earliest times had inspired a measure of respect akin to reverence. Because of it the authority of the Constitution has been weakened and impaired. Its provisions for the first time are treated with large-scale indifference or levity and flouted by not a few.

This is not all. The integrity of the Constitution is still further jeopardized by the fatal precedent which that amendment established. Advocates of nostrums for many other evils now seek to have their chosen remedies incorporated in the same document, pointing to the eighteenth amendment as showing the way. Should they succeed as the advocates of that amendment succeeded, the undermining of the basic bulwark of our Government will be complete. Its unique and essential character will be wholly lost. The commanding weight of its authority will be altogether destroyed.

The injury, actual and potential, done to the Constitution itself, in my judgment, is a very serious objection to the retention of the eighteenth amendment.

EIGHTEENTH AMENDMENT UNDERMINING RESPECT FOR GOVERNMENT

Never in all of our history has such an heroic effort been made to force a restrictive policy upon reluctant and resisting citizens as has been made during the past 11 years to enforce the eighteenth amendment. More agencies of the Government have been drawn upon, more money has been spent, more men have been employed, more laws have been passed, more rules and regulations have been promulgated to compel compliance with this amendment than for any other enactment that our Government has ever adopted.

For the sake of this amendment the Federal Government has mobilized, outside of all State and municipal services, an army of men considerably larger than the whole Marine Corps of the United States, most of them armed with automatic rifles, shotguns, or revolvers.

For the sake of this amendment the Federal Government has organized a special navy, which to-day ranks sixth in size among the navies of the world, including 25 destroyers, 33 so-called cruisers, 243 patrol vessels, 125 picket boats, and other miscellaneous craft, equipped

with cannon, machine guns, and other armament of war (only a minor fraction of which would be required to prevent smuggling were it not for prohibition).

For the sake of this amendment time-honored rights of individuals, some of them supposedly guaranteed by provisions of the Constitution itself, have been ruthlessly shoved aside. Houses are searched and property seized without warrant. Automobiles are overhauled on the highways and pleasure boats ransacked in our harbors. The immemorial right to trial by jury has been nullified or curtailed. Men are tried more than once for the same cause and punishments are inflicted, as under the Federal "5 and 10" law, or the "life for a pint" laws of certain States, that are out of all proportion to the gravity of the offense.

For the sake of this amendment our Government has violated long-established agreements of international law, has engaged in heated controversies with one foreign government after another, which under certain circumstances might easily have led to war, and has even resorted to the unprecedented and not too proud expedient of asking foreign aid in enforcing laws that are peculiarly our own. To this end we have besought other countries to abandon old rules of the sea to maintain which in other days we went to battle, and no less than 14 international conventions to accomplish this have been negotiated.

For the sake of this amendment the tentacles of government now reach out sometimes pettily, sometimes viciously, into almost every corner of life. We read, for instance, of the banning of mineral waters, ginger ale, and ice in city restaurants and hotels, that the sale of corks and jugs, bottles, stoppers, and corks has been forbidden in certain stores, and that Federal agents have seized sugar and yeast on sale in other business establishments. We find ourselves unable to buy cider or the juice of grapes without embalming fluid, which makes both beverages unhealthful and difficult to digest. Helpful though such measures may be in checking certain infractions of the prohibition law, they scarcely can increase respect for the general cause. Far more disintegrating for that respect is the information that prohibition agents spend huge amounts of Government money to induce men by fraud and deceit to violate the law in order to entrap them. Still more repellant is the knowledge that the Federal Prohibition Service injects the deadliest of poisons into industrial alcohol, and is willing in order to promote enforcement to inflict blindness, paralysis, and death not only upon violators of the prohibition law, but even upon those—perhaps your boys and girls—who may be their innocent victims. This action on the part of your Government and mine has caused indescribable misery and sent countless American citizens to untimely and unsuspected graves. In all the annals of official atrocity, including those ascribed to enemy armies during the late war, I know of none more dastardly or more heinous.

For the sake of even such partial enforcement of the eighteenth amendment as we now have, measures, regulations, and punishments have been considered necessary that are not only inordinate in number, but obnoxious in character and scale, repugnant to our traditions, and hostile to the dictates of conscience and common sense. They have provoked widespread resentment, disrespect for law, and contempt for Government authority throughout large groups of the American people, regardless of their age or sex or walk in life. No matter what the benefits of national prohibition may be, they are costing too great a price.

The objectionable methods employed, and apparently required, for its enforcement and which are undermining the country's respect for government itself, present a compelling reason why the eighteenth amendment should not be retained.

EIGHTEENTH AMENDMENT UNDERMINING MORAL STANDARDS

We come now to the strangest and most serious fact of all. While the Government for more than a decade has engaged in a monumental struggle to coerce observance of the amendment, while Congress and State legislatures have passed laws upon laws, established bureaus after bureaus, appropriated larger and larger sums of money, and made punishments for violations more and more severe, after all these years and all this effort prohibition enforcement to-day has little more than nominal support from a considerable part of our people. The most simple observation of life around us shows that the prohibition laws form a class by themselves and that the average citizen makes slight effort to cooperate in their enforcement. The same individual who would consider himself (or herself) contemptible if he failed to call the police when he saw a thief entering a neighbor's house, would consider himself equally contemptible if he did so when it was a bootlegger illicitly delivering illegal beverages. The same individual who would feel it his unquestionable duty to inform and aid the police in a case of "hit-and-run" driving, pickpocketing, assault, burglary, embezzlement, or almost any other contravention of law, seldom feels any obligation to do so when violations of the prohibition laws are involved. Enforcement of these laws remains almost wholly in the hands of those who are paid to enforce them—the police and other hired agents of the Government, who rarely receive the slightest assistance or encouragement from the common run of men and women.

Nor is this the whole story. The prohibition laws remain in a class by themselves in a still more serious respect. We can not bury our heads like the ostriches or close our eyes to the further fact that the

prohibition laws are everywhere violated, both in letter and in spirit, by otherwise law-abiding and high-minded people, without the slightest compunction of conscience and without evoking general condemnation or disapproval. This is true not only of the public at large, who in war-time days helped to adopt the great experiment. It is equally true of men who in the intervening years have helped to frame or to administer the enforcing laws.

Most of us will agree that a law regulating standards of conduct which does not so appeal to the judgment and conscience of practically all good citizens as to compel their respect and support is a bad law. The eighteenth amendment belongs in this category, and the widespread evasions and subterfuges and the shocking hypocrisy and corruption which have followed in its train have become a serious menace to the moral standards of our people.

EIGHTEENTH AMENDMENT CLASS LEGISLATION

One other aspect of the eighteenth amendment remains to which allusion should be made. No matter what the intention of the amendment may have been, in its actual operation it discriminates between rich and poor and partakes of the evils of class legislation. People of wealth, who are so inclined, everywhere to-day procure whatever illicit beverages they want, in the quantities they want, without apprehension as to their quality or fear of the penalties of the law. It is only those of modest means who are forced by the amendment to choose between poison and total abstinence. I know business men of prominence and great wealth who are insistent advocates of the retention of the eighteenth amendment for the very reason that it keeps the price of good liquor high and makes cheap liquor vile. They do not broadcast the argument, but privately they say that the amendment functions well, because it deters their employees from purchasing, and tends, as they claim, to increase the output and efficiency of their plants, while, on the other hand, it does not interfere at all with the gratification of their own tastes and habits. That argument smells of other lands and other days. There is no place under the laws of these United States for privileges of class. If the rich are not to be divested of what they consider their accustomed aids to social intercourse and good fellowship, then the rank and file can not in fairness be deprived of "beverages which through the ages have moistened and enlivened the workman's frugal fare."

CONCLUSION

The issue I have had in mind to-night has been the eighteenth amendment as it is, not as it might have been if it could have been carried into effect as many once fervently hoped. I believe, as everyone does and must, that it has brought to the country some very important benefits which we did not have before. These benefits must be preserved. But it has also brought great evils that we did not have before. It has undermined the people's regard for the basic charter of our institutions. It has impaired their respect for law and government. It is corrupting their standards of straightforward and honest living. It bears upon the poor, but not the rich. These evils can not be allowed to continue. In my humble but most honest judgment we might far better seek some other way of dealing with the problem.

WORLD WAR VETERANS' COMPENSATION ACT

As in legislative session,

Mr. COPELAND. Mr. President, I ask unanimous consent to have printed in the RECORD a letter appearing in the Buffalo Times of July 12, 1930, relating to the veterans' compensation measure recently before the Senate.

The VICE PRESIDENT. Without objection, it is so ordered. The letter is as follows:

[From the Buffalo Times, July 12, 1930]

PAY VETERANS NOW TO BOOM BUSINESS

To the EDITOR OF THE TIMES:

When the war came in 1917 nothing was too good for the soldier boys; their jobs would be waiting for them when they got back, and Congress put on its silk hats and applauded when the first contingents left. Within a few days Congress voted down a law to pay the men at the front \$3 a day.

Senator La Follette, the elder, proposed that the expense of the war be paid as we went along from taxation, that the money come out of war profits. Great wealth was too powerful and Congress voted it down.

When Harding was elected, Andrew Mellon became Secretary of the Treasury. He began a drive then, and has kept it up ever since, to reduce taxes upon great wealth, until to-day, in comparison with England, the rates are ridiculously low. "To them that hath shall be given"—and how much!

At the time the bonus bill was up, Secretary Mellon was its strongest opponent and said there would be a deficit of \$600,000,000. Three months later, in referring to some other law about to be passed, he stated there was a surplus in the Treasury of \$300,000,000. Only a slight error of \$900,000,000. When Congress had up the bill to pay \$30,000,000 a year to the shipowners, Secretary Mellon didn't yell

"deficit in the Treasury." He doesn't advocate and Congress doesn't vote to give them certificates payable in 20 years; no, sir! They get cash down on the table, and there is no waiting for those boys.

Year after year Congress, under pressure from Presidents Coolidge, Harding, and Hoover and Secretary Mellon, has reduced income taxes and repaid great sums almost yearly to swell the coffers of the wealthy of the country. Any cry about deficits in the Treasury? Not a murmur! Any question about giving them rebated certificates payable in 20 years? Not a syllable!

The other day the veterans' bill came up again and, when the President snapped the whip, Congress jumped right in and passed a little bill for the veterans of the World War, after having passed one for the veterans of the Spanish-American War only a short time ago.

Think of what a luxurious life a veteran and his family can live on the \$40 a month given, provided he is 100 per cent disabled!

Last fall when the stock market crashed, the Secretary of the Treasury sat tight day after day and said he would "sweep up his steps when the snowstorm was over." He finally got "kinder skeered," and what did he say then, "deficit in the Treasury"? Not on your life. He said, "Reduce income taxes about \$160,000,000." His own hunt club was out for the stuff and they got it.

Now, veterans, there are 4,000,000 of us. How many are employed right now? I can not say, but I know many are not. Most of us need every penny that is coming to us, and now is the time that we need it.

Most of us hold certificates payable in about 15 to 20 years and averaging about \$800 each. We could certainly use this money. Let's get up on our hind legs in our Legion and Veterans of Foreign Wars meetings; let's write, wire, talk, or phone to our Congressmen, Senators, President, and Vice President. Let's petition, agitate, and, by all the gods, let's collect on our certificates now. If this money coming to the veterans was paid now and put into circulation, business would pick up immediately and we would soon be on the "sunny side of the street."

Immediately, of course, will ring out the cry, "Deficit in the Treasury!" "Where is all this money to come from?" I'll tell you. If we can finance all our war credits against the Allies through the international bank, which is to base its securities on the reparation payments from Germany, what is to prevent the exchange of our bonus certificates for the United States' share of the allied debts, for which this country is going to take international-bank securities? These will amount to at least \$10,000,000,000, the funded debts are \$11,500,000,000, and would easily cover the amount of the bonus certificates, which certainly do not amount to \$3,000,000,000 at the very most. There isn't the slightest doubt in my mind but that almost every veteran holder of a bonus certificate not payable for from 15 to 20 years would be glad to exchange it for a similar amount of the bonds or securities of the international bank, which would have immediate sale value at almost par or even above par, especially if secured by the Governments of Germany and the United States.

In fact, the international bank has behind it morally the League of Nations, the allied countries, and even the debtor countries, and, in my opinion, would constitute one of the best securities in the world. It would, indeed, be a real world security or world bond, and I would personally be happy to exchange my bonus certificate for these international bonds.

Another very important feature, and to my mind the most important feature of the whole plan, is that it would eliminate the annual appropriation of about \$112,000,000 by Congress to the adjusted service certificate (bonus) fund which must be made each year so that the bonus certificates may be retired when they are due and payable, i. e., 20 years after they were issued. This would, of course, represent an absolutely clear saving to the Government each year with the resultant opportunity to reduce taxes.

So you see how it works out well for all concerned. The veterans get their bonus certificates paid immediately in the form of international bank bonds, which, with the moral support of all the principal governments behind it and the financial support of many of them, would sell for at least par. The money realized from these bonds (for a security like this would easily be absorbed by the large financial institutions of the world) spread out among 4,000,000 veterans and their families, which means approximately 15,000,000 people, would immediately dispel the depression now existing, boom business again, send a spirit of optimism around the country like wildfire, line up the veterans of the World War and their families for the international bank and for what it represents, real international peace and prosperity.

In the future this international bank, I predict, is going to be the most potent and effective force for the promotion of international good will and peace that has ever been put into operation; and one of the surest methods of establishing its prestige in this country would be to exchange our country's share of the debts owed to it and payable in reparation securities or bonds of the international bank for the veterans' bonus certificates, dollar for dollar.

WILLIAM A. FOX.

INDUSTRIAL CONDITIONS IN FLORIDA AND IN THE SOUTH GENERALLY

As in legislative session,

Mr. TRAMMELL. Mr. President, I desire to have inserted in the RECORD an editorial appearing in the Tampa Morning Tribune relative to industrial conditions in the South; also an article by ex-President Calvin Coolidge relating to the same subject.

The VICE PRESIDENT. Without objection, it is so ordered. The editorial is as follows:

FLORIDA ON ITS FEET

In ringing words, the Manufacturers Record sends forth the South's answer to the prevalent monotone of business depression. The Record says:

"More than \$537,000,000 in construction contracts awarded for the first six months of this year and \$637,000,000 of proposed and planned building and engineering projects announced up to the beginning of July are part of the South's answer to the pessimism and doubt which have prevailed among business men. What is more significant is the fact that the total value of building work in the Southern States up to the mid year showed a substantial gain over each of the corresponding periods of 1929 and 1928. In no uncertain manner the southern people and nation-wide investors demonstrated faith in this section by their acts. A more detailed statement as to what has been accomplished during the past six months toward the material development of the whole southern region is found elsewhere in this issue.

"In emphasizing the importance of construction activity and the part the construction industry plays in stimulating business, we should remember that 80 per cent of the cost of building operations goes directly to labor pay rolls, for those engaged in building or in the production of raw materials and their fabrications, up to the most intricate of manufactured goods entering into a completed project. It means that every avenue of trade will share in the stimulating flow of the wage-earner's expenditures.

"The Manufacturers Record is not unmindful of the dullness in many lines and of prevailing low prices, but the South during the past decade made its greatest progress in spite of depressions in agriculture and in textile manufacturing. Encouragement is found in what has been accomplished during the worst of the depression; in the fact that the South has felt the deflation to a lesser degree than other sections; that high-priced commodities have been liquidated to a great extent; that money is available at low interest rates for development purposes, and what is of most importance is the belief shared by many business leaders that business is "getting better." The growing optimistic spirit in contrast with the gloom prevailing only a few weeks ago presages the return of the flood tide of business."

There is much sound sense and basic fact in the above utterance.

When you are disposed to gloom regarding Florida, all you have to do is to look over the list of the 48 States of the Union and note that Florida, despite a series of backsets which were grave enough to be classified as calamities, stands second among all of them in population gain.

When you feel discouraged about Tampa, glance at the census reports from the 93 cities in this great and glorious country which have 100,000 or more population and you'll find not only that Tampa is the ninety-second in that list, having climbed from one hundred and thirty-seventh to that place in 10 years, but also that Tampa stands seventh among those 93 cities in the rate of population gain in the decade, and that Tampa's gain for the 10 years has been three times greater than the average gain of all the 93 cities.

You may say that population gain means nothing—in that you confess ignorance. A State, a community, does not grow by birth rate alone. There must be some compelling reason to bring people to it, to make them residents, permanent residents, residents counted as such by the census taker.

One would have thought, along about 1927, that no one reasonably sane would come to Florida. The State had suffered much. It had a "black eye" which was plainly observable to seeing people everywhere—and that disfigurement accentuated by frequent and habitual front-page printing by kind friends of the widely read press of other States. Just when we were beginning to think that, perhaps, the worst had happened, came a bank-failure epidemic, preceded immediately by the discovery of an unwelcome visitor from alien shores which threatened to destroy all that Florida had left—the golden harvest of its citrus groves.

But Florida lived on.

We now find, when we get away for a moment from the dark dilemma of distress, that Florida, in the five years that all these things were happening, actually gained 205,000 people—actual, countable, existent people. How is that to be explained? The story was not that busy, so our population did not grow to that extent by excess of birth rate over death rate. No; these people came here, moved here, located here. Why? Because, despite, all the crépe, all the mourning, all the epitaphing to the effect that Florida was dead and too poor to pay its own burial expenses, these people saw prospects here, saw a future here, saw in Florida, with all its discolored optic and its repeated

knockdowns, a good place to live, a good place to work, a good place to make a living, a good place to make a fortune.

Florida, its eye blackened, almost "punch drunk," refusing to listen to fate's referee intoning the eliminating enumeration, jumps to its feet and gets back into the fight to win—and has never yet claimed a foul.

The Salvation Army gives discouraged humanity a revivifying cry with its "A man may be down but he is never out." So Florida, with many men and many interests "down" but not disqualified, says to its sister States: "I've been hit, hurt, humiliated—but I'm on my feet and going strong!"

[From the Washington Post of July 21, 1930]

Calvin Coolidge says:

"The rapidity with which the old South is emerging is not generally appreciated. It has attracted new blood and new capital. From a region of plantations it is becoming also a region of industry and commerce. But its economic development is not so great as its change in thought. It is less local and more national.

"There are three important influences that are removing its inertia of mind and body. The public schools have been much improved both in housing and courses of instruction. Their power has become very great. The radio has done for people of mature years what the school-house has done for the youth in the way of lifting them out of themselves and giving them new ideas. This is changing the tone and the influence of the local press. And the system of good roads which is already extensive and rapidly increasing whereby the automobile has enlarged the circumstance of mental vision ranks very high in the progress of the new South. It has made the country accessible not only to itself but to the outside world. We behold a people of high spirit and great natural endowments under the inspiration of a new hope coming into their own."

LIEUTENANT FITZSIMMONS, FIRST OFFICER OF AMERICAN ARMY
KILLED IN WORLD WAR

As in legislative session,

Mr. DALE. Mr. President, the ocean liner *President Harding* has recently docked in France. The newspapers carry the information that Mrs. Catherine Fitzsimmons, mother of the first officer of the American Army killed in action in the World War, is among its gold-star mothers. I ask permission to publish in the RECORD a statement of the conditions under which Lieutenant Fitzsimmons met his death, as made to me not long after the event, by my son, Timothy C. Dale.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

About 40 of us, mostly Harvard men, had come up from Rouen to Etaples, where we had dinner, and from whence we were conveyed in British motor lorries to a locality near two little French villages, close together and called Dannes, Camiers. We were assigned to base hospital No. 5 with the British hospital No. 11, and the addition of our men brought the number in that hospital unit up to about 200. The first raid on Americans in the service was made at that place on the night of Tuesday, September 4, 1917.

The weather had been very wet and dark through the month of August, but with the coming of September it cleared. Sunday, September 2, about noon, German flyers made a slow, low flight over us, and we could see that they took pictures. The British antiaircraft guns opened on them, and shrapnel from both the British and the German guns rained down on the camp.

Tuesday, the 4th, was a clear day, followed by a moonlight night. Since going there we had been anxious to get permission to explore the pine-fringed lake at Camiers, the hills about us on which it is said the cavalry of Napoleon Bonaparte was trained; the churches, castles, and chateaux in which Charles Dickens took so much interest. We could not go from camp without leave. But Cameron, and poor McCleod, who lost both his legs that night, slipped out and went to Camiers village that afternoon. In the evening Golding and I got leave to go out after we came off guard duty. We went up on the hill, where we could look away over Etaples to the sea and from which, far off in the opposite direction, we could see the flash and hear the dull roar of guns on the British front toward Ypres.

Our camp was not far from the hill and, when the raiding planes came to it, they flew over, first, the drill field; then three rows of bell tents for officers; then two rows of large, oblong hospital tents, one of which, in the center of the second row, was for the reception of the wounded; and, last of all, the large operating building.

It was a beautiful night, and we did not come down from the hill until about half past 10 o'clock. As we came by the drill field we stopped to talk with the guards. We spoke with Teal and Tugo, the latter of whom a few minutes later was dead. I went to my cot in the first row of hospital tents, sat down, and took off one of my shoes. We slept with our clothes on, as we expected convoys of wounded from the Ypres front any hour. I heard a heavy explosion. It was immediate notice to me that something of consequence had occurred.

Then came a second explosion, and following in quick succession four more like reports. Then came a tense period of a few seconds. It was still, although the hospital tents were filled with wounded soldiers. The lights went out on the second explosion, but the moon shone through the white tents. A thin smoke drifted in, and with it a smell, then new, but thereafter well known to me. Then Sergeant Edwards, in a frenzy of shell shock from which he never recovered, rushed into the tent shouting: "Hurry up! Hurry up!"

I ran out to the officers' tents and there met Teal and Donovan. Tugo was lying mortally wounded. Donovan said: "Lieutenant Fitzsimmons is killed." Teal took care of Tugo. Donovan and I bound up in sheets the parts of the body of Lieutenant Fitzsimmons, where we had seen him standing a few minutes before by the open fly of his tent. Teal said that Lieutenant Fitzsimmons had just asked him, "Everything all right?" and he had answered, "Yes."

Noone heard the approach of the raiders. They flew low round the hill, shut off power and coasted over the camp. The first shell fell in the drill field, the second directly in front of Lieutenant Fitzsimmons's tent, two more between two long hospital tents, two more between a hospital tent and the reception tent, and then the raiders flew over the big operating room scattering German coins, three of which I picked up next day.

We worked all night in the hospitals. Private Rubino, and Woods, our bugler, were brought in dead, and a number of the British wounded were killed, among them one poor fellow who, the day before, was very happy at being "marked" to go home to England.

It was all so strange and quick to us that I can truthfully say that I was not scared, but I was awfully depressed next day. It was my first real war experience, and when we wrapped our flags around our comrades, the first in the American war service to be killed, we felt the reality of war.

LONDON NAVAL TREATY

In executive session the Senate resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. WAGNER. Mr. President, the major issue that divides the proponents and the opponents of ratification of the London naval treaty has by this time been ably stated. Many of my colleagues have brought to bear upon the discussion of that issue an extraordinary knowledge of the professional and technical aspects of naval defense and warfare. Since the issue revolved about a technical question such expert consideration was necessary and pertinent. Were I of the opinion that ratification or rejection depended upon a decision on these technical matters I would have continued my silence, for they are not within my competence.

I am not persuaded that the real issue is a technical one. It seems to me that the Senate has been diverted into that discussion by the matchless parliamentary skill of the distinguished Senator from California. I recognize his deep sincerity and his patriotism. I admire the leadership with which he has kept the fight in progress upon the very battle field that he has himself selected.

It is my present intention to appraise the pending treaty from another point of view entirely. I desire to bring to bear upon it the light of that large body of patriotic opinion which is primarily concerned because it is responsible for that change in the order of international affairs from which have sprung the peace pacts, the disarmament conferences, and the other cognate efforts looking to the elimination and prevention of war. We seem to have forgotten that these hundreds of millions of people throughout the world who have caused these conferences to take place are entitled to know how the results measure up to their hopes and expectations.

The new order in international affairs is not the invention of the military experts. We did not go to London to win the kind of security that the military and naval experts can provide. Propelled by the will and the wish of millions of our citizens who had lost faith in the effectiveness and desirability of military security and had wearied of the use of war as a solvent of international problems, we went to London, as we had gone to Washington and to Geneva, to find a substitute for war in understanding, in justice, and in the curtailment of armament and the allaying of the suspicion and uneasiness which it breeds.

We are trying to usher in this new day and this new system because of the wish of those millions of our citizens who have in the past paid the cost and the penalties of war and carried the back-breaking burdens of preparing for war. It was out of the common will to peace and hope for tranquillity that the pact of Paris was distilled. It was in continuation of that effort to construct a warless world that the disarmament conferences were called. They were to be steps in the direction of the complete substitution of the new pacific methods in lieu of

the old destructive methods of dealing with international problems.

Under these circumstances I should suppose that in passing judgment upon the results of such a conference the opinion of those who believe in its aims and methods should have some weight. Not the only but the primary question ought to be: Does it satisfy those at whose instance this venture was prosecuted? Instead we have been faced by the anomalous situation that the debate in the Senate has been cornered by those who want big navies and those who desire bigger navies.

The kernel of dispute has been the difference of opinion within the Navy itself as to the relative merits of four 6-inch-gun cruisers or three 8-inch-gun cruisers. This may be an important question. It is one for the naval experts to answer. I do not intend to disparage its significance, but it does seem to me that at this precise moment of our history, and in view of the hopes which preceded it, there is a more fundamental question which has heretofore in this discussion neither been asked nor answered:

Did the London conference forge that kind of international understanding which would make it relatively unimportant whether we choose the three 8-inch-gun cruisers or the four 6-inch-gun cruisers?

I hope I shall not, in the course of my remarks, be guilty of belittling the treaty simply because it does not correspond in full measure to our expectation. There is ever a gap between hope and realization. I shall but try, in the light of our purposes without passion, without prejudice, to consider the probable net effect of this instrument, having the interest of my country at heart but realizing that its interests can best be served by strengthening the foundations of peace upon which our happiness and prosperity are built.

What purposes actuated us when we went to London? Did we go there to secure a better and bigger navy? London is not the place to buy ships of war. Did we go to London to achieve parity? Not to my way of thinking. We had parity when we secured the resources, the energy, the rank, and the wealth to pay for it and maintain it. We did not send our delegation to London to bring back a bigger navy than we had. We did not send our delegates to London to bargain for parity. The mission of our delegation was to bring about, by international agreement, reduction in naval armament. That, of course, presupposed and included limitation.

As long ago as Decoration Day, 1929, President Hoover announced:

Limitation upward is not now our goal, but actual reduction of existing commitments to lowered levels.

America listened and cheered.

Only last October President Hoover and Mr. MacDonald joined in a statement brimful of hope and aspiration and the promise that "success at the coming conference will result in a large decrease in the naval equipment of the world."

Reduction and again reduction. We were encouraged to look forward to prospective relief from the burden of taxation. We were permitted to visualize the tremendous possibilities for human welfare in the diversion of the money spent on surplus navies to more beneficial and more humane purposes.

At the opening of the conference the bell of reduction was tolled again and again. The King of England, Mr. MacDonald, Mr. Stimson, the representatives of Japan, France, and Italy each in turn specified reduction as the prime objective of the conference. The exact state of public opinion at that time was accurately reported by Signor Grandi, chief of the Italian delegation, who said:

This conference should afford concrete and decisive evidence of our desire not only to limit but also to reduce armaments. Should we merely seek arguments to justify those already existing or planned, the hopes of the people will be disappointed and the London conference will have failed.

Mr. President, no judgment expressed after the conference could have been more accurate than this prophetic one of the Italian minister. What he feared has come to pass.

The people who have cause to be disappointed with this treaty are naturally not those who never expected much from the effort it represented. The opponents of reduction have indeed little of which to complain. It is the people who followed the proceedings of this conference with sympathy and hope who are sadly disillusioned. By the very standards which Mr. Hoover and the spokesmen of the conference laid down this treaty does not emerge as a very glorious document.

I do not, of course, know what was said outside of the plenary sessions in the course of informal negotiations. Apparently reduction was not the vogue at these private conferences. In

fact reduction apparently had so few friends at court that some of those present began to doubt whether it was on the agenda. Within 10 days after the first session at which incense and myrrh were burned upon the altar of naval reduction, one of the foreign delegates felt constrained to ask the following revealing question:

Do we really intend to envisage reduction of armaments?

He asked to have that question placed upon the program of the deliberations of the conference. That question was never answered except in the text of the treaty. And there the answer is "No."

The treaty fleets of the United States, Great Britain, and Japan will represent, according to my calculations, an investment in naval war vessels of \$5,255,797,750, or almost two billion for the United States, almost two billion for Great Britain, and a billion and a third for Japan. The accomplishment of that program on the part of the United States calls for an expenditure of over a billion dollars.

Disregarding capital ships, the total of the fleets of the three oceanic powers, the United States, Great Britain, and Japan, will be greater under the treaty than on December 31, 1929. I have included in this comparison all ships under age, built and building.

This increase called for under the treaty follows upon the heels of the feverish competition which characterized the period between 1922-1930, during the course of which these three powers laid down 166 ships and completed many more. There is the measure of success in attaining the primary object of the conference. Thus must the grandiose hopes and claims be deflated. True enough, we secured limitation in all categories except one (vessels of 2,000 tons mounting four 6-inch guns), but we secured it at that high level to which Mr. Hoover must have had reference when back in 1929 he spoke of that "useless" limitation which is "set so high as virtually to be an incitement to increase armament."

I am actively in favor of the principle that the United States shall have a navy second to none. It is my very advocacy of that principle that makes me so partial to reduction by agreement and intensifies my regret that we did not achieve it.

Those of us who expected that the conference would bring a lull in the construction of ships of war are disillusioned. Ratification will set off a gong which will bring to the navy yards of the world the shipwrights, the riveters, the armor makers to work long and fast to produce the treaty fleets, the most powerful weapons of war that the human eye has ever seen. These are the results of the conference on disarmament.

Even the high-leveled limitation which the treaty establishes is not assured in full measure. Article XXI of the treaty provides the machinery for lifting away the bars of limitation.

The article reads:

ARTICLE XXI

If, during the term of the present treaty, the requirements of the national security of any high contracting party in respect of vessels of war limited by Part III of the present treaty are in the opinion of that party materially affected by new construction of any power other than those who have joined in Part III of this treaty, that high contracting party will notify the other parties to Part III as to the increase required to be made in its own tonnages within one or more of the categories of such vessels of war, specifying particularly the proposed increases and the reasons therefor, and shall be entitled to make such increase. Thereupon the other parties to Part III of this treaty shall be entitled to make a proportionate increase in the category or categories specified; and the said other parties shall promptly advise with each other through diplomatic channels as to the situation thus presented.

If this article be literally and strictly construed, it means that in the event England takes alarm at the construction program of a continental power she will be at liberty to determine in what category construction is necessary to restore her peace of mind, and the United States will be limited to construction in the identical category, although such construction does not serve to restore America's peace of mind.

This criticism of Article XXI has been heretofore stated. If the article is strictly construed, the criticism is valid. Furthermore, if the article is so construed it is subject to a further objection. It confers a freedom of choice upon the country which first becomes alarmed which is denied to the others. It thus supplies each of the oceanic powers with a potent incentive to be the first to decide that additional construction is necessary for fear that another nation might anticipate it and thus limit the choice of defensive weapons against the new construction of a continental power.

Such an arrangement is conducive to hasty and ill-considered action at the very time when deliberation and cool-headedness are essential. In view of what I have said it is to me incon-

ceivable that such a narrow construction of the article can be expected. There is certainly nothing to prevent a more liberal interpretation of Article XXI somewhat along the following lines:

In the event the new construction of any nation other than the United States, Great Britain, or Japan is such as to disturb the sense of security of any of these three powers, each of them is at liberty, after due notice, to build whatever vessels are, in its judgment, necessary to quiet its apprehension, and in addition to match proportionately whatever construction in other categories may be undertaken by the two other powers.

This interpretation withdraws the premium which is otherwise placed on an excessive sensitiveness to construction by continental powers. It retains the relative ratios contemplated by the treaty and at the same time restores to all parties the same freedom of action which would otherwise belong to one. Of course, we may as well be candid with ourselves and admit that as a practical matter if ever Article XXI is called into play all limitation is at an end.

Mr. President, what I have said thus far and what I shall say in the remainder of my remarks is not intended as criticism of our delegation, collectively or of our delegates individually. I have high admiration and high regard for each of them, and I realize the supreme difficulty of the task that was theirs. Here in this Chamber, where we have but the interests of one nation to serve, we find it well-nigh impossible to secure unanimity of opinion. Certainly at the London conference, where the interests of many nations met in conflict, unanimity was difficult to obtain. That may well be the reason why the results obtained are so feeble. I should like to make it entirely plain that my comments are addressed to the treaty, not to the men who carried the very heavy burden of negotiating it.

As we look back now over the period of the conference it is by no means difficult to discover some of the factors that served to curtail its achievements. The great motive power behind the movement for armament reduction came from the great masses who have for generations been yearning for peace, and whose first great effort at treaty making culminated in the pact of Paris. Whoever entered this conference intent upon securing reduction had at his command the irresistible power of this great mass of public opinion represented in every nation of the world. No one harnessed it for the purpose of achieving more substantial reduction. The spirit of the pact of Paris was at times invoked at the conference, but in name only. It did not brood over the deliberations.

The widespread desire for peace and the world-wide yearning for reduction of armaments were permitted to dissipate while the delegates were absorbed in the very trying business of dividing up ships and guns. All the energy, all the enthusiasm, of the conference seemed to have been transmuted into finding a more refined measure of division of ships of war. There was no emotion, no passion for the great history-making object of the conference. Reduction of armament rests on faith, and faith finds it hard to survive in the cool, rarefied, mathematical atmosphere that prevailed at the conference.

I venture the opinion that a number of other European powers whose interests call obviously for smaller naval establishments throughout the world might have by their presence, had they been invited, contributed to the cause of reduction. The more widespread understanding of the purposes and problems of the conference and the more universal assent to its conclusions could not but have served the cause of peace and security.

It must be conceded that we sorely tempted the nations of the world to believe that another old-fashioned alliance was in the making—a parcelling out of naval strength to the strong in order even more effectually to curb the lesser nations. Such was not the purpose of the conference, and the appearance of such secret purpose might well have been avoided by throwing open a little wider the doors of the conference and welcoming those nations who had a legitimate interest in its proceedings.

What I have said thus far has reference to the proceedings in London. Since the return of the delegation to the United States the administration has been attempting to exploit the treaty as a great political achievement. The fact that partisanship was permitted no place in the consideration of this document in the Senate did not deter the administration from its political course. The fact that under our Constitution treaties are practically taken out of the realm of party politics did not prevent the administration from attempting to make political capital out of the London conference. Patriotic citizens, without regard to party affiliations, deprecate and resent this intrusion of partisanship into the consideration of a question that ought to be above and beyond politics.

Mr. President, one of the by-products of the present controversy over ratification or rejection is the emergence of an issue which transcends the treaty itself in its importance to our wel-

fare. It raises a question which calls for an answer not only in connection with the present treaty but in connection with our every act and attitude toward foreign nations and national defense. That issue is:

Shall our foreign policy and our program of national defense proceed from the assumption that war is an ever-present probability?

Many of the opponents of ratification have squarely accepted the affirmative of that issue. The keel of their debate is the hypothesis of war. From the premise of war, probable and imminent, the inference was quite logically drawn that we needed a navy sufficiently powerful to search out the enemy and defeat him. A navy merely competent to defend us from aggression was, of course, on such hypothesis entirely inadequate. The ambiguous phrase, "the needs of national defense," was thus made to fit naval supremacy and the power of aggression.

I do hope that the Senate will not, by rejecting this treaty, arouse the fear both at home and abroad that it subscribes to such a philosophy.

If that is to be the basis of our policy, it is not this treaty alone that we should reject. If we act on the supposition of war, then we ought to censor every thought of limitation, regard as treasonable every hope for reduction, dismiss every effort for agreement; for, no matter how clever our representatives, they will never succeed in persuading any nation voluntarily to subscribe to an instrument which would so curtail its own power of defense and so expand our power of aggression that we would with certainty be able to defeat it in its own territory.

If our policy is to be dictated by such an ambition, then we should throw restraint to the winds, pile on tax upon tax, and use every last coin we can wring from our people for the construction of a navy so powerful that it will be ready and certain to defeat every opposing force.

If we pursue such a policy, there will be a temporary vindication for those who counseled it, for the premise of war will surely be realized.

The distinguished chairman of the Naval Affairs Committee cautions us that "we have no right to gamble that there will be no future wars."

And the learned Senator from Indiana reminds us that we have engaged in six wars in the past 154 years and that "history repeats itself."

I wonder, Mr. President, if the distinguished Senator when he uttered this doleful prophecy stopped to consider the organs of destruction we have been developing sufficient to obliterate our entire civilization. Six wars! After all, how many wars like the last one, so recent that it haunts our memories, can this civilization survive? Does the distinguished Senator really believe that our present civilization is immortal?

Nations have in the past always gambled on war and they have had it. I believe the people of these United States, in common with every free people on earth, are ready to gamble on peace, and having a stake in peace they will do more than they have in the past to see to it that peace rather than war shall win the race.

What should be our final conclusion? I believe that we should ratify this treaty. The question of security has been raised, but I can not understand how we can possibly be less secure with the larger treaty fleet when the fleets of the other nations are limited than we are at present with a smaller fleet and other nations unlimited in their construction.

This treaty leaves the world with a burden of too many guns and too many ships rather than too few. The tremendous \$2,000,000,000 armadas which the treaty sets up somehow do not click with the professed objectives of the disarmament conference. It is a feeble treaty, a weak and insufficient instrument, but it is better than competitive building. If it does not carry us forward far toward the goal of disarmament, at least it applies the brakes against the rapid backsliding which had already begun.

If I could choose the world I would live in, I would rather have a world of small navies than a world of big navies. If the big navies had to be, I would rather that relative sizes were the subject of agreement than established by competition. If limitation, too, were to be abandoned, I would rather that each nation gave to the others notice of its prospective construction than that it built its ships secretly and surreptitiously. The treaty does at least that, and it also provides for limitation. Its rejection will multiply the ill will, the suspicions and fears, those seeds of war of which there is ever a surplus. Ratification will facilitate future agreements of actual reduction. The balance of advantage is on the side of the treaty and it is, therefore, entitled to the consent of the Senate.

America, leader in the pursuit of peace, should not refuse to join in an effort toward its realization.

The VICE PRESIDENT. The question is on the adoption of the resolution of ratification.

Mr. THOMAS of Oklahoma obtained the floor.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from Oklahoma yield for that purpose?

Mr. THOMAS of Oklahoma. I do not yield for that purpose.

The VICE PRESIDENT. The Senator declines to yield.

Mr. THOMAS of Oklahoma. Mr. President, before I am called upon to vote on the resolution of ratification of the London naval treaty, I desire to make a brief statement.

Under the Constitution the President has "power by and with the advice and consent of the Senate to make treaties." This provision makes the Senate a coordinate branch of the Government in the matter of treaty making. The President, either personally or through such agencies as he may choose, may prepare or have prepared the text of a proposed treaty and when such document is prepared, before same has any effect whatever, such document must be submitted to the Senate for its consideration and ratification. When a proposed treaty is submitted to the Senate this body has the power to accept such treaty as submitted or it may reject the treaty in its entirety.

In addition to the foregoing powers, the Senate has the constitutional right to modify or amend any portion or even the entire text of the document submitted. If the Senate, under its constitutional power, decides to modify and amend any suggested treaty, then such amended document is returned to the President, whereupon he has the power of accepting the Senate modifications or amendments, in which event he may submit such amended document to the other signatory powers for their acceptance or rejection.

If the Senate refuses to accept any proposed treaty submitted by the President then such proposal is dead; but, on the other hand, if the President refuses to accept any amendment or modification of any proposed treaty, then, also, such proposal is dead.

The Senate, being a coordinate branch of the treaty-making power with responsibilities equal to those of the President, has the constitutional right to all information possessed by the President when acting in his individual official capacity and has the right to have all the information possessed by any and all of the agencies of the President when the President acts through such agencies. Not only has the Senate the constitutional right to have such information, but the Senate as the representative of the people is not warranted or justified in voting on a resolution of ratification until all such data are produced and submitted.

In connection with the proposed London naval treaty it is admitted that secret data exist. Some members of the Senate have had access to such data but to the Senate itself such data are not available. The Senate has no power to compel the President to produce and submit such secret information, and, on the other hand, the President is likewise without power to compel the Senate to consent to and advise the making of the London naval treaty. The President, by refusing to submit the secret correspondence, messages, and information has, in effect, invited the Senate to refuse to consent and advise the making of such treaty. And, further, by his refusal to furnish these data he has in effect invited every member of this body to refuse to vote upon or even consider a resolution of ratification. It is my conviction that the committee should never have reported this proposed treaty to the Senate until it had secured the data requested and refused.

The Senate by almost unanimous vote requested these secret data. The President refused the request. This conflict inspired the Norris reservation which limits the meaning of the treaty to the wording of the text. With such reservation adopted and accepted by the other signatories no nation can hereafter successfully assert the existence of any secret agreement or understanding. In the absence of the secret data the Norris reservation should be adopted.

At this point let me digress to take note of some statements made here by the senior Senator from Pennsylvania. In replying to the address of the junior Senator from Indiana, he said:

Mr. President, the question in this case is not whether the so-called secret documents shall be submitted to the Senate. That is not the question at all. They can be submitted to the Senate in five minutes if the Senate will agree to accept them in confidence. The real question in this case is whether the Senate of the United States shall be allowed to give orders to the President of the United States that the dispatches between his ambassador and his State Department shall be published for all the world to read.

Later in the same reply he used the following language:

I repeat in quiet what I once before have said under some competition, that the sole question is whether the cables to and from Ambassador Dawes, passing between Ambassador Dawes and the State Department,

shall be published to all the world against the wish of the President, whose ambassador it is and whose Secretary of State it is that were communicating.

Then again he said:

Then why should not the President of the United States have the right to communicate with his personal representative abroad by secret code and secret messages?

Mr. President, the senior Senator from Pennsylvania has misinterpreted the relationship that should exist between the President and the ambassador to England and the relationship that should exist between the President and the Department of State.

The Government of the United States is not the personal property of the President. The ambassador to Great Britain is not alone the personal representative of the President and the Department of State is not alone the personal office of the President of the United States.

The Government of the United States is still, I hope, the property of the people. The ambassador to Great Britain, in addition to being the personal agent of the President at the Court of St. James, is also the ambassador of the people of the United States at the capital of the Government of the British Empire. The Department of State, in addition to being the personal clerical agency of the President, is also a public agency serving the people of the entire United States.

The President may have personal agents, representatives, and organizations, but when, under the law, a citizen is selected to perform a public service and such selection is approved by the Senate, the said citizen thereby becomes a public official to serve the people of the United States. And, thereafter, the people have a right to claim that such citizen, when performing public service, is acting for them as well as for the President.

The people of the United States still cherish the thought that they have at least remnants of a Government wherein all citizens occupying positions of responsibility and power are their public servants, their public agents, and even their hired men to perform the public work.

Mr. President, I do not subscribe to the doctrine that the Government of the United States is the property of any man or of any set of men. I do not concur in the implied statement that the ambassador to Great Britain is alone the personal representative of the President. I do not agree to the interpretation that the Department of State is the President's State Department. Yet with the advent of the doctrine "secret treaties secretly made" we should not be disturbed by the new relationship now asserted to exist between the President and the American ambassadors to foreign capitals and between the President and the State Department of the American Government.

Mr. President, the United States is new at major treaty making. With our experience to date it is admitted by many that in this phase of public activity we are outclassed and are at a disadvantage.

The suggested treaties of greatest importance have never been completed.

The treaty of Versailles, concluded at the end of the World War and embodying the League of Nations, was never ratified by the United States.

The World Court, in effect a treaty of major importance, was ratified with reservations which to date have not been accepted by the other signatory powers.

The pact of Paris, or the Kellogg treaty, a platitudinous resolution for peace, was, of course, indorsed by all the nations of the earth.

But while the treaty-making bureaus of the leading world powers have been resolving for peace the military bureaus of such world powers have been feverishly busy preparing for war.

A former President of the United States, now the producer of a daily lecturette, on the 17th of this month said:

* * * The world is arming more heavily than before the war, and we hear too many distinct utterances of hostility. This is a disconcerting change from the spirit of the Paris peace conference.

Mr. President, it is because of a conviction that there is much basis for the statement made by the ex-President that I have arrived at the conclusion to support the pending resolution of ratification. I have arrived at this conclusion not because of the worded text of the proposed treaty but because the people of our country are against war. They have faith in the representation that this treaty will in some way reduce the probabilities of future wars. They believe that the ratification of the treaty will be in the interest of national economy. They have a conviction that the ratification of the proposed treaty is a further crystallization of public sentiment against the policy of the settlement of international disputes by force.

If this treaty is rejected no nation will be justified in considering seriously our requests for further conferences. If we

are to make further progress, we must confer and cooperate with our sister nations in adjusting the problems both political and economic which will, in ever-increasing numbers, confront the world.

It is contended that, if we ratify this treaty, the possibility of our further neutrality will have been bartered away.

Mr. President, the world has become so small and our interests have become so large that no disturbance of any serious moment anywhere can take place without the United States being involved. As a small isolated power we have not escaped past foreign disturbances. Now that we have developed into a more robust entity, we can not hope to stand by when our citizens, our interests, and our rights are in danger.

It is contended that our ratification of the treaty will involve us in the World Court, and replying I might suggest that this Senate ratified the World Court proposal with reservations and that already we have had membership on the bench of this world judicial tribunal.

It is contended that our ratification of the treaty will make the United States subject to the jurisdiction of the League of Nations, and my answer is that we are already subjected to the jurisdiction of the League of Nations in the exact degree that the powers making up the league may be able to enforce its jurisdiction.

If we refuse to ratify this treaty, then the public sentiment of the leagued nations will have added cause to observe with suspicion our future acts, and if we ratify then we have given an additional evidence of our desire to cooperate in bringing about and maintaining world peace.

It is claimed that the London treaty is not in reality a proposal for naval limitation and Article XXI is cited in support of such assertion. Article XXI provides, in effect, that both Great Britain and Japan are authorized to increase their naval strength if, in their judgment, their existing comparison with the balance of the world's navies is impaired.

But whatever rights Great Britain or Japan reserve to themselves under Article XXI we have likewise reserved to the people of the United States. This treaty is not the final end of international conference and cooperation but rather only step No. 2 in the march toward peace rather than war.

Mr. President, the official text of the proposed treaty recites that two of the American plenipotentiaries were members of the United States Senate—one, JOSEPH T. ROBINSON, Senator from the State of Arkansas, and the other, DAVID A. REED, Senator from the State of Pennsylvania. Knowing of the important part these two commissioners had in making the treaty, I took the liberty of sending each of them an interrogatory, as follows:

Does the Senator believe that the proposed London naval treaty, if and when ratified, will tend to bring about the following results:

First, check and retard the development of the British Navy; second, check and retard the development of the Japanese Navy; and, third, promote and stimulate the development of the American Navy, to the end that on December 31, 1936, the navies of the three mentioned signatory powers may have navies consisting of capital ships, aircraft carriers, cruisers, and destroyers of a practical ratio of Great Britain 5, United States 5, and Japan 3?

To such communication Senator ROBINSON replied as follows:

JULY 18, 1930.

THE HON. ELMER THOMAS,

United States Senate, Washington, D. C.

MY DEAR SENATOR THOMAS: I am pleased to acknowledge the receipt of your message of July 17 and to state in reply to your inquiries that, in my opinion, the practical effect of the naval arms limitation treaty will be to suspend naval construction by both the Japanese and the British Governments during the life of the treaty.

Japan will scrap 26,000 tons of capital shipping, reduce her submarine tonnage by about one-third, remain at a standstill respecting 8-inch cruisers, and build only about 2,000 tons in 6-inch cruisers.

Great Britain will scrap five capital ships to our three, thus reducing 133,000 tons, compared with 69,000 tons by the United States. Her 8-inch cruisers will be reduced from 19 to 15; British submarines will be reduced about 12,000 tons and under the treaty program when carried out our Navy will be equal in every category with that of Great Britain.

The ratio as between the United States and the latter will be 10 to 10 in all classes of combat vessels. As between the United States and Japan, taking into consideration capital ships, cruisers, submarines, and destroyers (which includes every category) the ratio will be about 10 for the United States to 6.8 for Japan.

I should be pleased to have you make such use of this communication as you desire.

With personal regards, I am, yours sincerely,

JOE. T. ROBINSON.

Likewise, Senator REED replied:

JULY 17, 1930.

DEAR SENATOR: In answer to your letter of to-day we are glad to say that we do believe that the ratification of the London naval treaty will promote the welfare of the American Navy; that the fleet which we will have under the treaty will be the best-rounded fleet that the United States has ever had; and the removal of international suspicion and rivalry in shipbuilding will be of inestimable benefit to the three nations concerned. We believe that the treaty is entirely fair to all three nations. The ratios that result from it insure the safety of each country in its home waters. These ratios are:

	United States of America	Great Britain	Japan
Battleships.....	10	10.3	5.8
Airplane carriers.....	10	10	6
8-inch cruisers.....	10	8.1	6
6-inch cruisers.....	10	13.4	7
Destroyers.....	10	10	7
Submarines.....	10	10	10

Faithfully yours,

D. A. REED.

Senator ELMER THOMAS,
United States Senate, Washington, D. C.

Mr. President, for the reasons stated and with the interpretations given, I will vote for the resolution of ratification of the London treaty for the limitation and reduction of naval armament.

Mr. COPELAND obtained the floor.

Mr. WALSH of Massachusetts. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WALSH of Massachusetts. What is the order of business?

The VICE PRESIDENT. The question is on the adoption of the resolution of ratification.

Mr. WALSH of Massachusetts. Did the Senate adjourn on Saturday?

The VICE PRESIDENT. It adjourned in open executive session.

Mr. WALSH of Massachusetts. So there is no morning hour to-day?

The VICE PRESIDENT. There is no legislative morning hour.

Mr. WALSH of Massachusetts. Is there an executive morning hour? What has become of my resolution coming over from a previous day?

The VICE PRESIDENT. The Chair was advised that the Senator proposed to take up his resolution as a reservation, and therefore did not lay the resolution before the Senate this morning.

Mr. WALSH of Massachusetts. I would like to ask unanimous consent that my resolution be taken up and a vote had on it. I now make that request.

I will say that I would prefer to have the RECORD show a vote on the question in the nature of a resolution rather than as a reservation. If I fail to have a vote upon it in the nature of a resolution, I shall offer it as a reservation. Personally, I would prefer to have a vote on the question in the nature of a resolution rather than in connection with or as a part of the ratification of the treaty. It would simply then be an expression by the Senate regardless of any Senator's position pro or con on the treaty as to what attitude we think the country ought to take in reference to bringing about an actual naval parity.

It seems to me we would all be freer in our action if this matter were considered in the nature of a resolution. Of course, if I am denied that right I can present the question in the nature of a reservation, and if I do that, of course, it means that if the Senate votes to provide for the building of a navy that is actually at parity with the navies of Great Britain and Japan the matter will have to be first accepted by the President and then, of course, submitted to the other nations. It seems to me that the better way would be an independent action on it as an independent resolution expressing our views, regardless of our individual opinion upon the treaty. Therefore I make that request.

The VICE PRESIDENT. Does the Senator from New York yield for that purpose?

Mr. COPELAND. Will the Senator withhold his request just a minute?

Mr. WALSH of Massachusetts. I shall be glad to do so.

INVESTIGATION BY TARIFF COMMISSION

Mr. COPELAND. I desire to ask, as in legislative session, unanimous consent to call up the resolution which has been on the table two or three days providing for an inquiry by the Tariff Commission. I have talked with the Tariff Commission, and they desire to have certain matters clarified in the resolution which I have presented. I ask that the resolution may be considered at this time.

The VICE PRESIDENT. Is there objection? The clerk will read the resolution for the information of the Senate.

The CHIEF CLERK. The Senator from New York offers the following modified resolution (S. Res. 325):

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Infants' wear classified under paragraph 1114 (d) of such act; matches, friction of lucifer, of all descriptions, etc., as classified under paragraph 1516 of such act.

Resolved further, That Senate Resolution 309, Seventy-first Congress, second session, agreed to June 30, 1930, is hereby amended by striking out the word "sugar" and inserting in lieu thereof "refined sugar."

Mr. COPELAND. The Tariff Commission also ask that "cigarette books, cigarette-book covers, and cigarette papers in all forms" be added.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution will be so modified.

Mr. REED. Mr. President, is this the resolution which relates to pig iron?

Mr. COPELAND. No; it is not.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution as modified?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Infants' wear classified under paragraph 1114 (d) of such act; matches, friction of lucifer, of all descriptions, etc., as classified under paragraph 1516 of such act; cigarette books, cigarette-book covers, and cigarette paper in all forms.

Resolved further, That Senate Resolution 309, Seventy-first Congress, second session, agreed to June 30, 1930, is hereby amended by striking out the word "sugar" and inserting in lieu thereof "refined sugar."

LONDON NAVAL TREATY

In executive session the Senate resumed the consideration of the treaty for the limitation and reduction of naval armament signed at London, April 22, 1930.

Mr. WALSH of Massachusetts. Mr. President, do I understand the Chair to rule there is no morning hour during an executive session?

The VICE PRESIDENT. This morning the Chair would have laid the resolution of the Senator from Massachusetts before the Senate had the Chair not been advised it would be offered as a reservation.

Mr. WALSH of Massachusetts. The Chair had no business, with all due respect to the Chair, to get advice from anybody other than the mover of the resolution. I made no such suggestion to the Chair, and no one had any right to make it for me.

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LA FOLLETTE. Is it not true that the Senator's resolution, Senate Resolution 328, was submitted and ordered to be printed and to lie on the table?

The VICE PRESIDENT. It was.

Mr. LA FOLLETTE. Therefore it would not come over from a previous day, as I understand the rule. It would lie on the table subject to a motion to proceed to its consideration provided the Senate were transacting legislative business.

The VICE PRESIDENT. Under the rule it would not be laid before the Senate as a resolution coming over from a previous day but could be called up by the Senator from Massachusetts either by unanimous consent or taken up on motion.

Mr. LA FOLLETTE. In legislative session, as I understand it?

The VICE PRESIDENT. Yes. The Chair is advised that the resolution is in the nature of a legislative resolution.

Mr. WALSH of Massachusetts. Therefore, the Chair rules that it did not come over from a previous day and could not be called up in morning hour of the executive session?

The VICE PRESIDENT. Except by unanimous consent, and as in legislative session.

Mr. WALSH of Massachusetts. Then I ask unanimous consent that it may be laid before the Senate.

The VICE PRESIDENT. Let the resolution be read for the information of the Senate.

The Chief Clerk read Senate Resolution 328, as follows:

Whereas it is the sincere desire of the American people to establish a material reduction in naval armament throughout the world; and

Whereas the United States has participated in three naval conferences with the object in view of urging upon other nations its purpose and desire to reduce its naval armament and to cooperate with other nations to the same end in order that the peoples of the world may be released of the crushing burdens necessitated by maintaining their present military establishments, and because of the conviction that world peace is more likely to be preserved by the maintenance of minimum navies by the great powers of the world; and

Whereas all American experts and delegates, including Senator REED of Pennsylvania, whose statement, "We (the American delegates) were horrified to find that in these auxiliary classes the United States was in a condition of almost hopeless inferiority," give irrefutable and overwhelming testimony that there was a failure to make any material progress in actual naval-armament reduction at the three conferences which have been held since the World War, due to the fact that the American Navy was proportionately inferior to the navies of Great Britain and Japan at the convening of the last two conferences; and

Whereas it is the opinion of American delegates and observers that no conference will result in bringing about a substantial limitation of naval armament in the world unless at future conferences the United States is in a position to scrap its proportional share of naval craft with other powers; and

Whereas it is the desire of the United States Government to remove all possible obstacles that have heretofore caused a failure to accomplish material naval reduction, and because of the sincere desire of the American people to promote world peace and lessen the tax burdens of its peoples and the peoples of the world in future maintenance of large military establishments; and

Whereas the London treaty seeks to establish a definite naval parity between the contracting nations and therefore is tantamount to legalizing the right of each nation concerned to maintain a navy of the actual strength defined in the treaty, and, therefore, when other nations are maintaining maximum navies permitted under the actual parity set up the failure of the United States in this respect is an admission to the world of our purpose to maintain a navy of actual inferior strength to what our needs require, and agreed upon by the American delegates at London: Now, therefore, be it

Resolved, That the Senate of the United States, in the event that this treaty is ratified, favors the substantial completion by December 31, 1936, of all cruisers mounting guns in excess of 6½ inches, all aircraft carriers, all destroyers, and all submarines permitted under the treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930.

The VICE PRESIDENT. Is there objection to the request that the resolution be laid before the Senate?

Mr. WALSH of Massachusetts. Mr. President, may I inquire, first, if any motion has been made in the Senate this morning to proceed to the consideration of executive business?

The VICE PRESIDENT. That was not necessary, because the Senate adjourned while in executive session, as is shown by the RECORD.

Mr. WALSH of Massachusetts. Is there such a procedure as adjourning in executive session; that is, as distinguished from adjourning in legislative session?

The VICE PRESIDENT. Oh, yes; that has been the practice for some time; and when adjourning in executive session the Senate meets in executive session.

Mr. WALSH of Massachusetts. And there is no provision in the rules for a morning hour in executive session?

The VICE PRESIDENT. There is not.

Mr. WALSH of Massachusetts. I accept the ruling of the Chair. Then I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

Mr. LA FOLLETTE rose.

Mr. ROBSION of Kentucky. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky object?

Mr. ROBSION of Kentucky. No; I do not object; I desire to address the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

Mr. LA FOLLETTE. Mr. President, I desire briefly to state the reasons which motivate me in interposing an objection to the request made by the Senator from Massachusetts [Mr. WALSH]. As I view it, Mr. President, the issue raised by the resolution now lying on the table, which was submitted by the

able Senator from Massachusetts, is an issue which is distinct from the question of whether or not the Senate should advise and consent to the ratification of the London naval pact.

The question as to whether or not the Congress will exercise its authority to build to the limit provided in the treaty and appropriate the necessary funds for the construction of the ships so provided is one which will have to be met at the next and at succeeding sessions of Congress. Upon that question there will be a sharp divergence of opinion.

In so far as I am personally concerned, I shall oppose appropriations to carry out the building program outlined by this treaty. Other Senators, I assume from the statements which have been made during the course of the debate upon the treaty, will favor appropriations to carry out to the limit the building program which will be permitted the United States under the terms of the treaty. However, as I said a moment ago, I believe that the question raised by the resolution is one which ought not to be anticipated by the Senate at this time. I believe it is a question which should be met when the appropriation bills shall be before the Senate and House of Representatives.

Therefore, Mr. President, I object to the request for unanimous consent made by the Senator from Massachusetts.

The VICE PRESIDENT. The Senator from Wisconsin objects to the request of the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Mr. President, I can well understand and appreciate the motives which prompt the Senator from Wisconsin to object. He has frankly stated that he opposes building the ships provided for in the treaty. However, I shall present the same issue in the form of a reservation. At this time I wish merely to make a brief statement.

I would agree with much the Senator from Wisconsin has so ably stated if it were not for the fact that the ratification of this treaty, for the first time in the history of this Government, will remove freedom of naval action on the part of the United States. No longer will we have any choice as to building the type of navy we choose to build. This treaty gives legal sanction to the kind of navy Great Britain and Japan may maintain; and it gives legal sanction to what our delegates and what the delegates representing Great Britain and Japan say are our naval needs in view of our concessions to those countries.

If this be true—and I maintain it is true—those of us who are willing to support this treaty and to vote for it ought to have the right to say to the American people, "We have removed from you the right to control the extent and type of the American Navy; we have legalized the size and strength of other navies; but in doing that we also declare it to be our purpose to maintain the Navy which our own representatives, in conceding definite naval strength to other countries, decree we need. Especially is this declaration important in view of the very statement just made, namely, that upon the question of building the ships provided for in this treaty there will be in future Congresses a wide divergence of opinion."

I for one can not bring myself to the point of legalizing the size of other navies and legalizing what our delegates and the representatives of other countries say we ought to have and what our needs are, in view of what they are given by this treaty, without at the same time making a declaration that we propose to maintain a navy of the proportions authorized by the treaty.

I think the situation is entirely different from any with which we have ever before been confronted. The position of the Senator from Wisconsin, and I appreciate that the position which he takes is supported by many Americans—indicates to us what the future opposition to an actual parity will be. The day after this treaty shall have been ratified, there is going to be a determined, direct, and persistent effort in this country to prevent any appropriations for the enlargement of the Navy. We do not know how the Executive feels about it; we ought to know how he feels about it; but, at any rate, it is one of the things as to which we have got to make a decision now in view of the probable action on the treaty. If we were not conceding a particular size to the navies of other countries, I agree that the question I propose here would be foreign, but it seems to me that by internationally legalizing a definite strength to other navies which they actually possess, we are put in an entirely different position.

I do not care to prolong the discussion at this time, but I shall later offer in the form of a reservation the proposition I have embodied in the resolution.

Mr. ROBSION of Kentucky. Mr. President, I perhaps ought to offer an apology for taking the time of the Senate at this juncture, in view of the extreme heat and weariness of the Senate. I had thought that I would not address the Senate on this question, but those opposed to the treaty have seen fit to

characterize those of us who have not spoken as not being sufficiently intelligent to discuss the treaty or as being afraid to do so.

Before sailing for Europe, my colleague the senior Senator from Kentucky [Mr. BARKLEY] announced that he favored the ratification of the London naval treaty. I, too, favor its ratification. The senior Senator from Kentucky and myself do not represent a State of pacifists. Kentuckians have given a very fine account of themselves on land and sea, in the air, and under the sea from Bunker Hill to Flanders fields. History records that during the Civil War from many of the counties in Kentucky more men and boys entered the Union Army than there were voters in those counties, and in other counties more men and boys entered the Confederate Army than there were voters in those counties. In the Spanish-American War thousands and thousands of able-bodied men in Kentucky who volunteered their services to the country were rejected because a greater number had volunteered than could be accepted. Kentucky had a peculiar distinction during the World War, in that from one county twice as many men volunteered and were accepted for service than constituted the quota of that county; in fact, in that county no man was drafted for the World War.

I merely point out these facts, Mr. President, in order to make clear to the Senate that I do not represent a State made up of pacifists. We in Kentucky love our country; we believe that she ought to have adequate national defense both by way of an army and a navy and in auxiliaries. I am willing to concede to the opposition, if they desire to put it in that way, superiority in knowledge and wisdom; but I am unwilling to concede that they love their country any better than I do or that they are more interested in the national welfare than am I or than are my fellow Kentuckians.

I applaud the sentiment expressed by the distinguished Senator from California [Mr. JOHNSON] the other day, when he said that he was willing to die for his country, but the number of those who are willing to die for this Republic is not confined to the Senator from California. I find four of the seven men who were sent by us to negotiate the London treaty were beyond the draft age and could have avoided military service, but they volunteered and some of them commanded divisions and brigades on Flanders fields. I refer to Secretary of State Stimson, Ambassador Dawes, Secretary of Navy Adams, and Senator REED.

Patriotism, love of country, can not be monopolized by Senator JOHNSON and others who are opposed to this treaty.

There are some Senators who favor this treaty who in the trying days of 1898 were able to find a recruiting station and put themselves in an attitude of dying for their country. They have said nothing on the floor of the Senate about dying for their country. It is likewise true that in the World War there were a number of Senators who are in favor of this treaty. They, too, were able to find a recruiting station and put themselves in an attitude to defend their country on the battle field. So to question their patriotism, love of country, and interest in this Republic, it seems to me, comes with bad grace.

I have run over the list and have studied many times the character of the seven men who went yonder to represent the United States in these important negotiations. If we should take the statements of some of the speakers in opposition to this treaty, we should think that they were "innocents abroad" and men who had somehow, somewhere, some peculiar interest in protecting Great Britain and Japan instead of our own country.

Who are these men?

Secretary of State Stimson, one of the great lawyers of this country, Secretary of War under President Taft, Governor General of the Philippine Islands. There, too, he had an opportunity at first hand to study the Japanese and Philippine questions and the relation of the Orient, the Pacific, to our own country. It can not be said that he is not widely trained or lacks experience in national and international affairs.

Ambassador Dawes, a man who made for himself a name in the business world, Vice President of the United States, representing our country now yonder across the sea—he, too, volunteered, as did Mr. Stimson, to defend this country on the battle field.

Coming on down the list, the distinguished Secretary of the Navy comes from our eastern coast, the Atlantic coast, where men are trained from their boyhood how and where and when to protect this country and its commerce on the seas. He served in the Navy during the World War. I see that he signs this treaty.

Our own distinguished colleague the Senator from Arkansas [Mr. ROBINSON], the man that the Democrats of the Senate time after time have selected as their leader, a man who has made for himself a name throughout the land, the choice of

his party for Vice President; and may I say in passing that while I doubt if he could have been elected, if he had been at the head of the ticket instead of on the tail of the ticket the Democrats no doubt would have garnered more electoral votes in 1928.

Then there is our other colleague, the Senator from Pennsylvania [Mr. REED], who has made for himself a great name as a lawyer, and who has served with distinction as a Senator, head of the great Military Affairs Committee of the Senate, and a commander of American troops on Flanders' fields. He, too, signs this document.

Here is Ambassador Morrow, a man of wide experience in business affairs, who has succeeded in a splendid way as our ambassador to Mexico; and Mr. Hugh Gibson, the American ambassador to Belgium, a trained and experienced diplomat.

These seven great Americans, after months of study, finally helped to bring about an agreement, a contract, this treaty, and they signed it on behalf of the United States. I am wondering, Mr. President, where we could find a group of seven Americans with wider training and wider experience in business, in national and international affairs, more loyal and devoted to their country than the seven men who represented the United States at this great conference.

I can not but resent in a measure the attitude of the opposition toward these seven great Americans, four of whom volunteered and went out in defense of their country. They bring back the treaty. It is approved by the President of the United States, the Commander in Chief of the Army and the Navy of this country. They send this treaty to the great Foreign Relations Committee of the Senate, headed by the experienced, able, and trained Senator from Idaho [Mr. BORAH]. The ranking Democrat on the committee is the able and trained Senator from Virginia [Mr. SWANSON]. After they had spent weeks in conducting hearings, after they had heard all that the opponents here claim they heard, they considered the matter carefully; and then that great committee—which has been dealing with national and international questions in this country ever since before the World War, many of them during the World War and since the World War—that great committee (with only four members opposed), Democrats and Republicans, put their approval upon this London naval pact or treaty. Yet, because we are for it we are held up to the scorn of the country as men who are too ignorant to understand it, or we are so subservient, somehow, somewhere to England and Japan that we will not assert ourselves in behalf of our own country! Then, on top of that, it is admitted here that four-fifths of the Members of this body also approve this treaty; yet we who are for it are denounced.

The President is denounced. Our negotiators are denounced. The Foreign Relations Committee is denounced. We are all denounced because we favor this treaty.

My good friends, the opponents of this treaty remind me of the man who was on the jury in the mountains of Kentucky. Twelve good and true men heard the case. The jury was hung up for days. Finally the judge called the jury before him and said, "Gentlemen of the jury, what is wrong here? Can you not agree?" One juror rose, the man who was standing by himself, and said to the judge, "Why, your honor, we can not agree. We have not agreed, and we can not agree." "Why?" the judge asked. "Because I am on a jury here with 11 of the contrariest men I ever saw in my life." [Laughter.]

So it is. The President is wrong. The seven negotiators are wrong. The Foreign Relations Committee is wrong. Four-fifths of the Senate is wrong. We are all wrong because we happen to be out of accord with our friends who are in opposition to this treaty.

In the beginning, Mr. President, I had considerable doubts as to the accomplishment of these men. Every speech that I have heard, both by the proponents and the opponents of the treaty, has strengthened me in my purpose to support it, and has strengthened my viewpoint as to the accomplishment of these negotiators of our country. I shall not go into a detailed discussion; but it is admitted that so far as submarines, destroyers, and aircraft carriers are concerned, our country is reasonably taken care of in this treaty. The great objection that appears to be raised here relates to the capital ships (battleships) and to the cruisers.

What did our negotiators have to face? They did not find us in parity, on an equality with Great Britain. They did not find us on a ratio of 10 to 6 or 5 to 3 with Japan. They found us out of parity with both countries in capital ships (battleships). They found that we would have to go to work and be busy for the next 10 years before we could reach parity on capital ships with Great Britain or arrive at a ratio of 10 to 6 with Japan.

These men, by their efforts and the good will of the representatives of Japan and Great Britain, bring to us a document that in effect brings parity now on capital or battle ships with Great Britain, and the ratio of 10 to 6 with Japan. But for this document it would have cost us hundreds of millions of dollars and delayed the time of parity for 10 years. That is an accomplishment that should receive the general commendation of the people of this country.

What else did they find?

Capital ships and cruisers are the two major units making up a navy. They found what? They found Japan with twice as great a cruiser strength as the United States. They found Great Britain with four times the cruiser strength of the United States.

What does this agreement do? It provides that Great Britain shall until 1936 quit, declare a holiday, stand still, until our country, if she desires, builds up to an equality or a parity with Great Britain. On the other hand, it requires Japan to quit; and, up to the year 1936, as I understand this treaty, Japan can not add more than 2,500 more tons to her cruiser strength.

How in the name of high heaven is it going to hurt your country and mine for Great Britain to quit, to stop, stand still, until we can build our cruiser strength up on a parity with her cruiser strength? And how in the name of high heaven is it going to hurt us in the Pacific or anywhere for Japan to stand still until we build up, if we desire, to a ratio of 10 to 6 with her?

Oh, somebody says, "It is going to cost a billion dollars for us to catch up with Great Britain and Japan." We can spend that billion or we can not spend it. That is a matter for the decision of the American Congress and the American people; but if we do not ratify this treaty, and Japan and Great Britain keep on building, instead of spending a billion dollars to catch up—and that is what the opponents of this treaty are worried about; they want us to catch up—we will have to spend from two to, perhaps, four billion dollars to catch up with Great Britain and Japan.

I know that if I am in a race with a man, and he is 5 miles ahead of me, it will be easier for me to come out at the end equal with him if he will stand still until I negotiate the 5 miles, and catch up with him. How could it injure me in the race if he stood still while I was catching up?

Mr. President, I am opposed to competition in armaments. I have seen competition in armaments in Kentucky when two neighbors fall out. My distinguished friend the Senator from West Virginia [Mr. HATFIELD] is laughing. He has seen competition in armaments in West Virginia, just the same as I have in Kentucky.

Two neighbors fall out over a razorback hog or over a boundary line. Each one of the neighbors arms himself. Then each one arms his sons, then he arms his cousins and his uncles. Then he arms his hangers-on. They are well armed, and it has always resulted in feuds which took the lives of many, many people.

We can not have world peace with competition in armaments. World peace must be based upon understanding, justice, fair dealing. That is what there must be if we are to have world peace.

I was a Member of the House of Representatives after the World War. Some well-intentioned men in the Army and in the House and Senate said that in order to protect this country we must have compulsory universal military training. The great Military Affairs Committee of the House, made up of 21 members, stood 10 for and 10 against it. There was a vacancy on that committee, and there was a struggle for weeks over the type of man who should fill that vacancy on the Military Affairs Committee, with this great question of universal compulsory military training pending.

What would it have cost? It would have cost over a billion dollars a year. But we were urged by Army experts and others that it was necessary for the protection of this country to take our boys 18 and 20 years of age and put them all in military training camps in this country and require them to serve two years or so. But that was defeated, and the money was saved.

Have we learned no lessons from the World War? Some folks across the sea had the idea that they could outbuild the world. They outbuilt the world, but it did not save them. As the President says, in competitive building we might outbuild the world, but at the same time we would incur the ill will and distrust of the world.

Have we learned no lesson from the World War? That great war cost \$240,000,000,000. Nine million men lost their lives. Nine million others were made cripples or lost their health. Countless other millions, women and children, were made widows

and orphans. More than that and bigger than that, we shook to its very foundations the civilization of the world.

Mr. President, I am wondering if the world could survive another shock like the World War in the near future. Not long ago the Congress completed legislation uniting all the agencies for the relief of veterans of the World War and their dependents under one agency, one head. What does it cost a year? It costs \$800,000,000, and we have not reached the peak. The Army and the Navy cost \$800,000,000; a billion six hundred million dollars every year directly traceable to war and preparations for war. What does it mean? A billion six hundred million dollars amounts to about \$15 in taxes for every man, woman, and child in this country, and every man, woman, and child who eat and wear and drink anything must pay his part of these taxes.

I have not considered the interest on our national debt. I have not considered the payments on our national debt. The distinguished chairman, Senator JONES, of the Committee on Appropriations of the Senate, advised us the other day in a speech that more than 70 cents out of every dollar that is taken out of the people's pockets in the way of taxes must go for war and the things which war has caused.

Mr. President, I want the world to turn its mind toward the paths of peace. I do not want to see another great world war. I do not want the senior Senator from California to have the opportunity to be the Senate's recruit in the next world war, in order that he may give his life for his country. I want him to live for his country and serve his country in this body. I do not want the millions of boys throughout the land to become cannon fodder, but to become useful citizens in peace.

This country needs roads, more roads and better roads. This country needs more schools and better schools. This country needs more agencies to help in promoting the health and the general welfare of the people of this country, and provide for our aged and disabled defenders and their dependents. If we have an opportunity here to save \$1,000,000,000 to build more roads, to build more schools, to look after the health and the welfare of the childhood and the mothers of this country and our defenders, is it not a program directing our attention and our energies worth while? This treaty not only will protect the interests of our country; it will also help to relieve the burden of taxation and promote the peace of the world.

I have no criticism to make of the distinguished gentlemen who do not agree with me in this matter. I think the people of my State and the press generally are back of this treaty. I have had just two protests coming from individuals. I do not have the honor or the pleasure of knowing these individuals. I am satisfied they are in good faith, but I know this from their letters, that it has never gotten to them that we are going to have parity now, practically, in our battleships, with Great Britain, and 10 to 6 with Japan. It has not gotten to them that Great Britain has four times the cruiser strength we have, and that Japan has twice the cruiser strength we have, and it has not gotten to them that Japan and Great Britain are going to quit and stand still while your country and mine build up to them if we desire to build. The opponents of the treaty have submitted a great number of reservations. This, of course, is a common practice in parliamentary procedure. Where a bill, treaty, or other matter before Congress can not be defeated by direct attack such amendments or reservations are offered as will in the end defeat it. I shall vote against these reservations, except the Norris reservation, which has been agreed to, and help to pass the treaty as submitted by our seven representatives, approved by the President and by the Committee on Foreign Relations of the Senate.

As I said in the beginning, I have no quarrel with the man who claims to have a monopoly upon intelligence and understanding. He would not have to have much to be superior to this humble representative of the great State of Kentucky. But I do resent any man claiming that he has a corner on patriotism in this country, or that he loves his country more sincerely and would try to protect his country to any greater degree than this humble representative from the State of Kentucky. I note that the Senator from California has been unable to convince his distinguished colleague [Senator SHORTRIDGE], who is for the treaty. The Senator from Tennessee [Mr. McKELLAR] has been unable to convince his colleague [Senator BROCK], who is for the treaty. Senator ROBINSON of Indiana has been unable to convince his colleague the distinguished Republican leader [Senator WATSON], who is strongly supporting the treaty. Senator MOSES has been unable to convince his colleague [Senator KEYES], who is for the treaty. Senator BLAINE has been unable to convince his colleague [Senator LA FOLLETTE], who is for the treaty. Senator BINGHAM, in his opposition to the treaty, has been unable to convince his distinguished col-

league [Senator WALKOTT], who is for the treaty; and, after all, I am wondering if there can not be found as much wisdom, understanding, and patriotism, if we take our seven treaty negotiators, the President of the United States, the Republican leader of the Senate, the Democratic leader of the Senate, the Foreign Relations Committee of the Senate, and more than four-fifths of the membership of the Senate, made up of Democrats and Republicans, as may be found among the eight or nine Senators who have expressed opposition to the treaty. These great groups backing the treaty are struggling for the peace of our country, for good will among men, and to lessen the burden of taxes weighing so heavily on the shoulders of men and women everywhere because of the ravages of war. With these great groups I earnestly and gladly take my stand. I do not know how I could better serve the interests of my country and at the same time promote the welfare of mankind.

Mr. President, I wish to thank you and the Senate for your kind indulgence.

Mr. NORRIS. Mr. President, may I inquire of the Chair whether the resolution of ratification is now before the Senate?

The VICE PRESIDENT. It is.

Mr. NORRIS. Subject to amendment?

The VICE PRESIDENT. Not subject to amendment but subject to reservations.

Mr. NORRIS. I have a reservation which I send to the clerk's desk and desire to offer. It is to be added immediately following the resolution of ratification.

The VICE PRESIDENT. The clerk will report the reservation.

The LEGISLATIVE CLERK. The Senator from Nebraska offers the following reservation:

Resolved further, That in ratifying said treaty the Senate does so with the distinct and explicit understanding that there are no secret files, documents, letters, understandings, or agreements which in any way, directly or indirectly, modify, change, add to, or take from any of the stipulations, agreements, or statements in said treaty; and that the Senate ratifies said treaty with the distinct and explicit understanding that, excepting the agreement brought about through the exchange of notes between the Governments of the United States, Great Britain, and Japan having reference to Article XIX, there is no agreement, secret or otherwise, expressed or implied, between any of the parties to said treaty as to any construction that shall hereafter be given to any statement or provision contained therein.

Mr. REED. Mr. President, for the convenience of the Senate there were printed on Saturday, at page 343 of the Record, the notes which were exchanged with Great Britain and Japan regarding Article XIX. That is the exception which is made in the latter clause of the reservation just presented by the Senator from Nebraska.

The President of the United States, the Secretary of State, the Senator from Arkansas [Mr. ROBINSON], and myself have stated, each of us at least once and some of us many times, that there are no agreements whatsoever save those which were written into the treaty. So far as I am aware, every agreement arrived at by the American delegation at London was put into writing and embodied in the treaty now before the Senate.

That being so, there certainly can be no objection to the reservation just offered by the Senator from Nebraska. There is no necessity for it, as I see it; but, saying that it is unnecessary, I see no objection to it whatever, because since there are no such agreements it can not operate to affect any such agreements.

Mr. President, for the reasons I have stated it is not my intention to interpose any objection, and I hope the reservation will be accepted.

Mr. NORRIS. Mr. President, it is known, it is uncontradicted, that there were deliberations, that there are secret documents, that there has been correspondence, and that there have been other things not given to the public, not given to the Senate, not given to the Committee on Foreign Relations. We had a construction put upon them by the Senator from Pennsylvania [Mr. REED], and I find no fault, of course, with the construction which he puts upon them. He may be entirely right. I concede that from his point of view he is right. Nevertheless they have been withheld from the Senate. They have been withheld from the committee. The President in an official message has declined to give them to the Senate, so that we have been deprived of the opportunity to put a construction upon these documents.

To save us in approving the treaty we are entitled to have, and it is important and necessary that we should have, some reservation of this kind, which in effect says that we are ratifying the treaty on the theory that there are no secret agreements, that there are no agreements which place any kind of

construction upon any provision of the treaty. It seems to me that every Senator, without this reservation, would be justified in voting against the treaty. I have much sympathy with Senators who will not vote for it, even with this reservation, on account of the withholding by the Executive of information which I think the Senate under the Constitution is entitled to have.

Mr. President, suppose you were the attorney of some individual who was about to enter into a contract with some other individual and your client was called upon to sign an agreement which was the result of negotiations that had been going on between the parties for some time. Representing your client, suppose you had discovered those negotiations, and you would say to the opposite party, "Are the documents leading up to the settlement of this controversy in your possession? If they are, will you let me see them so I can properly advise my client." Suppose, then, the other attorney should say, "There are such agreements. There is a long line of correspondence, secret in nature, which I have not divulged to you; but I say to you that in no way does it put any construction upon this contract or agreement which your client is about to sign." What would you say as your client's attorney? What kind of advice would you give your client?

If he desired to sign the document, you could say, "We will add a provision to the agreement. We will say here in black and white that my client signs it with the express stipulation and the express understanding that there are no agreements; there are no documents; there is no correspondence which in any way modify the terms contained in the contract. There is no understanding that any construction will be given except what the words themselves in the agreement will bear. With that stipulation and with that reservation I will advise my client to sign the contract." You would not advise him to sign it unless that were done.

It is no criticism upon the Senators who have knowledge of these secret documents. We do not mean to say that they are wrong in their construction. They are probably right. But if they are right, then before we sign it we must either see those secret documents and place our own judgment upon them, or we must state as a reservation to our signature that there is nothing in any of the documents which affects, either directly or indirectly, the contract into which we are entering.

Mr. President, I think that the reservation is necessary. If the secret documents were not understood by everybody probably to be very immaterial, there would perhaps be a different viewpoint even with this reservation; but we must remember that we are establishing a precedent. I am not satisfied myself with the precedent, even with the reservation agreed to. I think it covers then this case completely, but the Senate is a part of the treaty-making power. Whether we like it or whether we do not, we can not shift that responsibility from our shoulders. I am not anxious to assume it. That is not the point at all.

I do not want to look into these secret documents and go through them so far as any curiosity of my own is concerned, but we are called upon here under the Constitution to perform a governmental function which is extremely important and always is in the making of a treaty. It may mean a future war or the avoidance of war. Its importance can not be overestimated. Even by the wildest stretch of the imagination and regardless of our personal feelings, that responsibility is upon us, placed there by the Constitution. It does seem to me that the reservation is vital and that without it we would be justified in refusing ratification of the treaty.

Mr. JOHNSON. Mr. President, may I inquire of the Senator from Nebraska what became of the preamble to his reservation?

Mr. NORRIS. I did not offer the preamble because as a legal proposition the preamble is no part of the reservation itself. The preamble only states, and I think in this case as I originally offered it states truly, the facts on which the resolution is based. Those facts, however, are all in the record. The only difference now without the preamble and with the preamble is that in one case the preamble would be spread out in the document itself as a part of the resolution and in the other case we would have to go to the record to find some of the facts.

Mr. JOHNSON. I asked the question because in the reservation as I have it before me—and I have, of course, a list of the reservations which have been presented—there is a preamble. I did read in the press that an agreement had been reached in respect to the preamble, but my knowledge of the situation was confined to articles in the press. Observing the Senator from Pennsylvania [Mr. REED] and my colleague the junior Senator from California [Mr. SHOREBROOK] nodding a moment ago in respect to the preamble, I assumed that by agreement it was eliminated.

Mr. NORRIS. I will say to the Senator from California that there is not a thing connected with the preamble or its consideration, so far as I am concerned, that is at all secret. I have had dozens of Senators say to me—and that does not include the Senator from Pennsylvania [Mr. REED] nor the Senator from Arkansas [Mr. ROBINSON]—that they favored the resolution. The Senator from Pennsylvania I regarded as being opposed to the preamble and the resolution, judging from what he said in the Senate at the time it was offered. But various Senators on both sides of the Chamber have stated to me "I favor your resolution, but I do not see any use in the preamble." I said to those Senators, as I say now to the Senator from California, that the preamble in my judgment—and I do not think anyone disputes it—even if it is spread on the record and made a part of the reservation adds nothing to the legality of the resolution itself. It is a statement of facts, and even if I did not think it was vital and had no legal importance, yet at the request of Senators I would omit it.

Mr. JOHNSON. Mr. President, I can not, of course, question the view that the preamble legally adds nothing to the reservation. I grant that very readily. But I do think the preamble performed a very useful service. It performed a useful service because of the principle which was at stake and because that principle has been settled, so far as the Senate is concerned, in regard to documents, papers, and the like that may be in the hands of the Secretary of State or the President of the United States. The reason for the reservation was obviously stated in the preamble, so that while the preamble added nothing from the legal standpoint, nevertheless it performed, in my opinion, a useful service and I am very sorry it has been omitted.

Sir, I take it from what has been said that there is no objection in reality to the reservation which has been presented by the Senator from Nebraska. I do not care, therefore, to occupy any particular time in discussing it or in referring to it. There being no objection to it and the reservation now being, as I take it, about to be adopted with absolute unanimity, it is a very remarkable thing that the entire body should have deemed it essential under the circumstances which have been presented by the record here. If it were essential and believed by this body to be essential, I think that much more should have been done by us than the mere adoption of the reservation. The reservation, of course, runs to the treaty—

That in ratifying said treaty the Senate does so with the distinct and explicit understanding that there are no secret files, documents, letters, understandings, or agreements which in any way, directly or indirectly, modify, change, add to, or take from any of the stipulations, agreements, or statements in said treaty; and that the Senate ratifies said treaty with the distinct and explicit understanding that there is no agreement, secret or otherwise, expressed or implied, between any of the parties to said treaty as to any construction that shall hereafter be given to any statement or provision contained therein.

Of course, the reservation expresses a very virtuous view upon the part of the United States Senate. The utility of that expression is a very different proposition and, even assuming—which we do merely for the sake of the argument—that there were understandings existing in relation to the treaty, it would accomplish absolutely nothing at all. Assuming for the moment—and I am assuming it merely for purposes of argument and not assuming it as a fact because of disclaimers which have been made here by those connected with the treaty; but assuming for purposes of argument that Japan, its people, its officials, whatever may be termed its governing class, and some one representing the United States have agreed in respect to cruiser construction or in respect to what may be done during the course of the treaty, then nothing, of course, would be said concerning that fact.

It has been asserted by all those who have been parties to the treaty—and their assertion we must take as absolute—that there is nothing of that sort; but if there were such a thing, this reservation would not, in my private opinion, touch it, and would not get within shotgun distance of accomplishing any real result. I shall be very glad to have it adopted; I hope that it will be adopted.

I hope also that before the Senate shall adjourn it will take some action indicating what the policy of the Senate is in respect to the treaty-making power, and determine just exactly what may be the rights, the prerogatives, and the privileges of the United States Senate in reference to that power.

I now want to say a word or two merely in response to some of the things which have been said to-day. I did not know, and for that reason I have remained quiet until this moment, that the debate was to be taken up to-day; inasmuch as it was such a sin to carry on last week, I had assumed that to-day would be devoted to the treaty, without the making of speeches,

including the bringing into play of the heavy artillery of the Senator from Kentucky [Mr. ROBINSON] and others; but it seems that the sin of debating the treaty rested just on those who dared to commit lese majesty by being against it. That was a crime; but when Senators want to speak in behalf of it, as they have a right to do—and I am glad to hear them—then it is a virtue, and the crime and the sin and the wrong rest on those who dare express themselves otherwise.

We have spoken to little purpose upon this floor if it is believed that the contest that has gone on in the last couple of weeks here is a mere contest between big-navy men and bigger-navy men. From the beginning to the end we have disclaimed such a suggestion as having anything to do with the contest. We have spoken to little purpose upon this floor if on the last day this treaty is to be considered—because I assume the treaty will be ratified either to-day or to-morrow, at least, within a brief period—any Senator believes that the contest involved is between three 8-inch-gun cruisers or four 6-inch-gun cruisers. It is simply pitiful that that should be the situation developed now, and I am sorry that it should be so.

It is a strange thing, too, that after two weeks or more of debate upon this floor it should be said, "This treaty will, in reality, accomplish nothing, but we will ratify it, nevertheless, in the hope that some day, in the far future, it may accomplish something." That sort of argument does not appeal to me. When I was Governor of California I found that the argument one most had to watch in relation to legislation presented was the argument, "This amounts to nothing, so let us pass it right away and get rid of it." I learned it was that kind of thing I had almost always to investigate, and investigate with the utmost care, in order to prevent bad legislation from being enacted.

Our friend from Kentucky [Mr. ROBINSON] announces his patriotic purposes, which we concede, in regard to this treaty, and in regard to the United States of America, but think of his narrow escape. He said that in the beginning he had doubts about the accomplishment of our delegates who went abroad, but he describes them in language that paints them in such heroic mold that it is utterly impossible for us to understand that they could be other than the most titanic figures. Just think of his narrow escape! I congratulate him upon it, because if he had continued to believe that there had been no accomplishment abroad by these titanic figures he would be in the woeful category of the 6 or 7 or 8 or 9 or 10 men who have the nerve to stand up on this floor and say that they disagree with Ambassador Morrow, with the Senator from Arkansas [Mr. ROBINSON], with the Senator from Pennsylvania [Mr. REED], with Secretary Stimson, with Secretary Adams, and the others who negotiated this treaty. It is a terrible thing to do it; I admit it; it is a wrong that never can be expiated; but, nevertheless, it is something that we who are opposing this treaty have done; and, so far as I am concerned, I never was prouder of a fight that ever I made in my life than of this fight. I do not care a rap whether there be 2 votes our way or 3 or 4 or 5 or 6 or 10 or 1. I am more proud of the contest that has been made upon this particular issue than of any other that I have ever made in this body.

Now, sir, returning to the reservation presented by the Senator from Nebraska [Mr. NORRIS], I recall—and I am speaking only from my recollection of the press items—that when the reservation was filed here immediately it was asserted by somebody—I think perhaps by the distinguished Senator from Pennsylvania [Mr. REED], who is now directing the forces in behalf of the treaty—that it was an insult to the President. I may be wrong as to that; but I read in many press articles that the particular reservation was an insult to the President. Somebody changed his mind; somebody has undergone a metamorphosis, mentally and intellectually; and somebody has, in view of the present situation, agreed that the reservation should be accepted. Well, it ought to be accepted and it ought to be forty times stronger than it is; it ought to be of such a character that it will be remembered in the days to come that we have established such a precedent that never again will there be permitted to arise a question as to documents, papers, books, and the like being withheld from the United States Senate in the discharge of its treaty-making function.

Mr. President, I did not intend to-day to do any talking, so far as that is concerned, but I will continue to speak if it be necessary to do so and if Senators who have to-day addressed the Senate desire. I am delighted—more than delighted—that to-day for the first time they have found their voices on this floor and are beginning to make some defense of this treaty. It is a glorious thing. Weeks have passed and mute they have sat, because they said they had the power. To-day, however, they are putting forth their voices, and I am delighted. We will

meet them on that ground all day long and all to-morrow and all the next day, if they wish, and we will continue to debate this treaty, and debate it to the full all over again if it be so desired.

Mr. SHIPSTEAD. Mr. President, I wish to say a few words before the reservation shall be voted on and to remind the Senate of the constant attack that is being made and that will continue to be made upon the treaty-making power of the Senate not only on this floor but by others in the United States. The treaty-making power of the Senate will be attacked by powerful organizations, heavily subsidized, carrying on a constant propaganda throughout the United States, not only on the platform but in the press, and by heavily subsidized propaganda through the mails. I do not find any fault with that. I have always believed that every American citizen has the right to hold his views and to express them; but those who think such views in error have an equal right to answer them.

I have here a pamphlet which is labeled "Confidential Memorandum for Members; November 11, 1929." It is prepared on behalf of men who are prominent in forming public policy in the United States, some of whom are prominent in the so-called Foreign Policy Association, an organization which since the Great World War has been laboring insistently—undoubtedly in good faith—to tie us up with the political organizations of Europe. I find that one of the eminent constitutional lawyers of this group is Mr. John W. Davis.

Let me read the names of those for whom, after consultation and conference, this pamphlet speaks. The pamphlet is captioned "The Anglo-American Naval Question; Report of a Study Group of Members of the Council on Foreign Relations."

The council on foreign relations consists of Hamilton Fish Armstrong, Isaiah Bowman, Raymond L. Buell, Arthur Bullard, Charles C. Burlingham, Joseph B. Chamberlain, John W. Davis, Allan Dulles, Raymond B. Fosdick, Col. E. M. House, Charles P. Howland (chairman), Philip C. Jessup, Walter Lippmann, J. G. McDonald, Walter H. Mallory, Whitney Shepardson, and James T. Shotwell.

This group has a policy as to the desirability of which they intend to educate the American people. The pamphlet has reference to this treaty, but the treaty is evidently only a portion of its program. If this pamphlet had been handed to us from the State Department, I would believe it was a document of instructions to the negotiators who went to the conference at London.

The document is filled with many of the eternal verities, but it has some very interesting and illuminating sentences giving us the future policy of the United States. The group referred to takes the position that the size of navies, speaking of the navies of Great Britain and the United States, is not important. They say what is important is the purpose for which the navies are to be used; that that is the overwhelming issue; and they have that all arranged. They propose that there shall be an alliance or an understanding between Great Britain and the United States to the effect that in the event of war they shall either both be belligerent or both be neutral.

They also have come to the conclusion that it would be impossible to get the Senate of the United States to agree in advance to a program of that kind, but they have found a way of getting around agreement on the part of the Senate, which they think it is necessary to do. A very naive way of getting around the Senate is proposed. It is claimed that the Kellogg pact has now placed the question of war or peace in the power of the Executive; that the decision of that question, like the Monroe doctrine, is exclusively an Executive prerogative.

I would not take the time to read from this pamphlet to the Senate if it were not for the fact that on some of its passages I desire to comment.

A group of members of the council on foreign relations was formed in the season 1928-29 to consider the relations between the United States and Great Britain. The purpose of the study was to see how the attitudes of the two countries could be harmonized so as to avoid competitive navy building, recriminatory language, and ill will.

I think that was a very laudable purpose for anyone to confer upon.

This report is merely the chairman's personal synthesis of the discussions, to which virtually all the members of the group contributed. It does not purport to represent the views of any individual member.

The group did not claim to represent all sides of American opinion. There is, for example, a school of opinion not represented in this group which believes that the best way of handling Anglo-American relations from the American side is to impress British opinion by an actually large and potentially unlimited American Navy, so that the British will abandon their traditional position as rulers of the seas,

and, whether at peace or at war, avoid injury to American interests. Without denying that the British tradition of supreme sea power, ingrained by four centuries of success, could not have been dislodged except by a showing on the part of the United States of a capacity at least to rival that sea power, the group, nevertheless, has proceeded on the assumption that something more than a showing of equal force is necessary, that competitive naval building creates irritation and lasting distrust, and that navies are likely to come into conflict unless some harmonious policy underlies their existence.

It is needless to say that since the group's discussions began the course of public events and the attitude taken by the authorities in each country have greatly improved the situation. The change is so far a psychological one. The group believes that one way of solving the international problem is to give encouragement in each country to those forces which prefer international understanding and accommodation in the long run—

Those last four words are in italics—

to the use of a self-sufficient nationalism.

After a long period of peace it might be necessary to insert in such a report as this an outline statement of the devastation, direct and indirect, created by a great modern war. Whatever country wins a military victory, it is certain that all alike suffer heavy financial and economic losses.

I think we can all subscribe to that.

So soon after the World War, it is unnecessary to stress this point. Suffice it to say that any war of English-speaking peoples would involve a cultural devastation that would be well-nigh irreparable. A discussion which envisages the likelihood of a war between Great Britain and the United States would be sensational and shocking, and this is what public speakers mean by saying that such a war would be unthinkable; but unthinkable in this emotional sense affords the best of reasons for devising ways of averting or avoiding even the possibility of such a catastrophe.

I am sure we can all subscribe to that. I will add to that that I think it would be just as much of a calamity to the world if the United States should be at war with any other country. I would not confine that explicitly to Great Britain.

Between Great Britain and the United States economic rivalry exists in various fields: For raw materials and for markets, in the carrying trade, and so on. No one contends that this rivalry involves any more serious possibilities than inhere in all wholesome economic competition.

That may be true. I hope it is. It is the same competition that existed between Spain and Great Britain, between France and Great Britain, and between Germany and Great Britain; and I hope it will not result in wars, as past history has shown that it usually has.

The only subject of serious discussion is that which involves naval armaments and the law of the sea. The discussion can be narrowed still further, for there would be little support in the United States for a big navy except for the apprehension based on traditional positions that in a war in which Great Britain is a belligerent and the United States a neutral the United States would need a large navy to prevent the British from interfering with the neutral right of trading with both belligerents. It would be a digression to argue this last point; it is sufficient to say that the policing of the Caribbean requires no considerable navy, and that because of Japanese economic dependence on United States trade, as well as her lack of resources for a protracted war, Japan has the best of reasons for keeping the peace with the United States. There is too much thrift in the United States to desire a large navy solely for prestige purposes. Even on the present scale the Navy Department will cost the country \$361,795,000 during the present fiscal year, or 9.5 per cent of the National Budget. A single battleship costs \$50,000,000 to build, and her pay-roll item alone, not counting fuel and other supplies, drydock expense and obsolescence, reaches \$1,320,000 a year. On the British side the naval budget for 1929 is £57,000,000.

Less noticeable than naval costs but more damaging to a country's real interest is the effect which the naval controversy has on its policies. A navy can not itself be an end, it is only a means for executing a policy. A dispute over the use of a navy like that over sea law in time of war, at best a minor point of international law, deprives a nation in effect of freedom of decision as to the relation of its own interests to the issues of the war. Without admitting that the British in 1812 had the support of international law in their treatment of the American merchant marine, it may be said that the controversy between the two countries on that issue helped to range the United States on the side of Napoleon in his effort to establish a despotism over continental Europe—

I might remark here that Napoleon did more to knock into a cocked hat the theory of the divine right of kings than any other man who ever lived, unless it be George Washington—and that the same controversy came near having a similar result in 1916. It is desirable that if there is to be a discussion of this point

of international law it should proceed in the coolest possible medium. The provocative language toward other countries, the most effective propaganda which big-navy advocates use in inducing legislators to vote the necessary navy budgets, is itself the main force in creating the suspicion and hostility which they affect to deprecate and against which they urge always increasing preparation. Nothing in recent years has so injuriously affected public psychology in each country toward the other as the ill-fated Geneva conference.

I will also say that I do not believe that the American people knew what the Geneva conference was until President Coolidge made his Armistice Day speech. So far as the American people were concerned, I think that was the best lecture they had and the best instruction they could have on what actually took place at Geneva.

It seems almost absurd that the relations between the two most powerful countries of the world should be allowed to turn upon the inability of their respective professional experts to agree with each other over the question "whether a fleet of 30 cruisers armed with 8-inch guns is or is not the match for a fleet of 50 small cruisers armed with 6-inch guns."

The irony of such a controversy over a remote hypothesis—the question of the freedom of the seas arises not in all war, but only in case England or America is neutral when the other fights—is increased by the fact that the Americans and British have seldom found difficulty in the past in settling other disputes between them by compromise or by arbitration. One need only recall the famous Jay treaty of 1794, the North Atlantic coast fisheries, the Alaskan boundary, and the Alabama claims.

I will repeat that in the North Atlantic fisheries case and in the Alaska boundary case the notes that had passed between the foreign offices of the two countries became important in settling before the courts of arbitration some of the questions that arose in those controversies.

With regard to arbitration treaties, they have also, at least in effort, taken an advanced position as indicated by the Olney-Pauncefote draft of 1897, the Hay draft of 1905, and the Taft-Knox draft of 1911, efforts which were defeated by the American Senate. The United States succeeded in concluding one of the so-called "Root" treaties in 1908, but this expired June 4, 1928. A "Bryan" treaty concluded in 1914 is still in force, and the 4-power pact for the Pacific was concluded in 1923. Negotiations for a treaty of the Briand-Kellogg type are under way. With this ratified to add to the Paris pact, our treaty relations regarding pacific settlement will be in better shape than ever before.

The pact of Paris while multilateral is, at the same time, an Anglo-American treaty, in which both Britain and the United States have entered into a contract which binds them to use none but pacific means of settlement in case of dispute. The (Root) arbitration treaty in its revised form is waiting for British action. When the Governments agree as to the procedure for ratification, this will be presented to the world as part of the implementation of article 2 of the pact of Paris. The arbitration treaty derives its political force—

The word "political" is in italics—

from association with the pact of Paris. The entry of the United States into the World Court would similarly implement the pact of Paris in the more strictly judicial field in the same way as the arbitration treaty implements it in the field of arbitration.

It is very significant that in all of these programs the court of arbitration at The Hague is never mentioned.

Finally, in preparation for the 1930 naval conference, the agreement in the 4-power pact to settle disputes concerning the island possessions in the Pacific in conference might be enlarged to cover nonjusticiable and nonarbitrable issues between Great Britain and the United States.

This tendency of British and Americans to settle their differences by pacific means is increased by the growth of the influence of the dominions on the policies of the British Empire. In the political sense Canada especially, the most potent of the Dominions, lies midway between Great Britain and the United States, and so far from being upset by the growth of the American fleet the Canadians are said to rejoice in it as increasing their own security in the Pacific.

But for the time being popular attention on both sides of the water has been focused not on methods of peaceful settlement but on the size of the respective navies. The question seems to be over the narrow and remote hypothesis of a serious war in which either England or America is neutral when the other fights, and in America at least it is generally assumed that the United States will be the neutral power. Such have been the serious controversies in Anglo-American history. It is obvious at this point that if there be no general war the hypothetical case will never arise, and that the less chance of war the less chance of controversy over neutral rights in time of war.

It should be noted at this point that the popular idea that Great Britain is committed historically to the assertion of the maximum of belligerent claims is not supported by the facts. British opinion has not at any time unanimously supported the extreme belligerent claims

of the Admiralty, and British policy has not undeviatingly asserted the belligerent interest against that of neutrals. Although due weight should be given to the traditional influence of the Admiralty on British policy—an influence likely to be especially strong immediately after a desperate war—the Admiralty has not always been supreme in policy forming. At times the influence of the mercantile marine and the overseas trade interests has been quite as strong. For the hundred years before 1914, except for the Crimean War, England was neutral in European wars and neutral-mindedness flourished. Witness the report of the Horsfall Select Committee on Merchant Shipping and the parliamentary debates of 1861 and 1862.

Indeed, even during the struggle with Napoleon, British pamphleteers, writing in the mercantile interest, supported the claims of the neutral position. Lord Harcourt definitely adopted it, and the earnestness with which Cobden urged Sumner during the Civil War to propose it to Great Britain at a time when she was in a frame of mind to accept it is well known. At The Hague and at the conference of London in 1909 the position of the British representatives went further toward the expansion of neutral rights and the diminution of belligerent rights in naval warfare than the United States was willing to go. It need not, therefore, be assumed that Great Britain is bound by long-established tradition always to seek to preserve full freedom for belligerent action.

On the other side, the United States is by no means irrevocably committed to maintain the sacredness of neutrality. While the United States has on the whole opposed the more drastic claims of belligerency and pressed for the protection of neutral rights, the expedient protection of its interests has determined its choice of doctrine. In 1856 it insisted on the maintenance of the right to commission privateers. In the Civil War it gave a new extension to the British prize court doctrine of "continuous voyage and ultimate destination" and seized contraband cargoes consigned from England on their way from one neutral port to another; and in the Great War, although the American Navy was instructed "to fight the enemy, not neutrals," the armistice found it laying a mine barrier in the North Sea, a closing of the high seas by belligerents similar to the actions against which when neutral we had protested.

In logic there is no reason why, in considering this Anglo-American controversy, we should assume that one country is more likely to go to war than the other. Psychologically, however, there is no doubt that most Americans are thinking of a situation in which we shall have the prerogatives of neutrality while Britain is attempting to enforce large belligerent demands. That would almost certainly be the attitude of an American delegation in any negotiations with British representatives. And although it was not the case in the decades before the war, at present the naval members of a British delegation would probably be dominated by the thought of belligerency.

English writers not dominated by naval traditions think that this attitude of the Admiralty constitutes a great peril to them. In the World War, with only blockaded Germany against her and with all other seafaring countries allied or favorably neutral, her shipping losses exceeded seven and one-half million tons, and there were at times food shortages in Great Britain which caused grave apprehension. Thus the possible dangers to Great Britain of submarine and airplane blockade from the Continent in another war are limitless. The submarine and airplane have increased the power to destroy and have vastly diminished the power to protect commerce. In modern naval warfare the offensive is much stronger than the defensive. It would seem that the old assumption of naval strategy that the superior navy can close the seas to the enemy's commerce and keep the seas open to its own is obsolete. Against a nation equipped with submarines and airplanes the superior navy is not an adequate defense.

A blockade in a new great war involving Great Britain would be far more damaging to her, if she had no understanding with the United States or if in any such war the two were likely to come in conflict. Viscount Cecil and Mr. W. Arnold-Forster put it this way:

"1. Under present war practice a belligerent is entitled to capture any goods other than the merest luxuries found anywhere on the high sea and consigned to some destination from which they or their substitute may reach his antagonist.

"2. This practice is based on the principles of the old law of maritime capture adapted to modern conditions.

"3. In a future private war this practice applied against us might easily destroy our existence, and applied by us might be equally fatal in consequence of embroiling us with the United States."

The group had no doubt that public opinion in the United States is determined to have a substantial navy and has a firm intention that it shall be equal to the British. It seems that proposals for a large American Navy are strengthened every time an effort is made by Great Britain to question our right to parity or to increase its own building program. If agreement could be reached for a basis of cruiser limitation substantially on the level now reached by Great Britain or covered by programs for which money has been appropriated, naval agitation in the United States would tend to cease and naval-building programs in this country would no longer present a political issue. If Great Britain would agree to accept parity on some such basis which would mean

approximately 400,000 tons of cruisers, the United States should be willing to consider some formula which would permit Great Britain, if she desired, to maintain a number of the smaller cruisers roughly commensurate in combat strength, even though superior in tonnage, to the larger cruisers desired by the Navy Department.

If agreement is reached, even though the tonnage limits fixed by such agreement are high, a basis is afforded for subsequent reduction as soon as the atmosphere of naval rivalry is dissipated.

One scheme would allow the United States to complete the large cruisers it is now building, when after discarding those more than 20 years old it would have eight 10,000-ton cruisers and 75,000 tons of "modern" cruisers. If England did not complete the large cruisers now building, she would have only 114,000 tons in big modern cruisers, and the difference of 41,000 tons in these combat vessels would make a substantial offset against the 140,000 tons of small British cruisers carrying 6-inch guns which they believe they need "for Empire uses." Another proposal would offset British superiority in cruisers by the superiority of the United States in destroyers and submarines.

It would seem that the naval experts are not likely by themselves to work out a scientific basis for agreement. Even if they could find a mathematical formula by which to measure strength in one class of vessels against strength in an entirely different class they would still complain about differences in naval bases, oil reserves, size and quality of the merchant marine as a reserve to be armed or to do scouting duty in war and as a feeder for personnel, etc. The most statesmanlike way of handling these differences is seemingly for the nontechnical men to agree upon a point at which the two navies are roughly equal from the standpoint of combat strength, to treat this status as parity, and to rationalize the position by deriving a mathematical formula from it. This, however, imperfect as a technical solution, would at least suspend the professional fomentation of the controversy and allow a settlement of the controversy over the freedom of the seas, after which competition in navy building should make small appeal to the public of the two countries.

The group found itself unable to agree with the view frequently expressed in the Senate that international law can be "codified" by a conference of jurists in such a way as to remove all possibility of conflict as to blockade, search for contraband, etc., in the future. The group inclined to the view that the body of existing international law which can be agreed upon as established affords no hope of a solution of the controversy. Indeed, the real difficulty in the past seems to have lain in the attempt to control the operations and the spread of war by law. More precisely, the majority of the group entertained these views:

It can no longer be assumed with Grotius "that commodities could be so divided in war time as to leave private property and civil supplies untouched, whilst State property and military supplies were stopped, and that the difference between contraband and noncontraband was a real one resting on a genuine distinction between the two classes of articles." There are no longer any such distinctions in fact; all the activities of both sides in the World War in the restriction of trade were based on the obliteration of such distinctions and rules and would be so again under similar circumstances. Classifications of property were annulled on the theory that anything that was useful for a nation contributed to its fighting power or its resistance. "Private" ownership became a farce; the German Government set up a purchasing agency in New York, and their shipments were "private property" and were consigned to neutrals; there was so much of this that the British made a presumption of it for all cases. "Blockade" used to be a close investment; the term was transferred in the World War to arrest on the high seas. All agree that the doctrine of "continuous voyage" or "ultimate destination" applies to absolute contraband, whether or not it applies to conditional contraband or to blockade; consequently the British declared virtually all goods to be absolute contraband, and stopped goods consigned to Germany's neighbors which might be going to Germany herself or which might be intended to replace goods already sent to Germany. The British view of "the law" is that "under present war practice a belligerent is entitled to capture any goods other than the merest luxuries found anywhere on the high seas and consigned to some destination from which they or their substitute may reach his antagonist." (Viscount Cecil and Mr. W. Arnold-Forster, *Journal of the Royal Institute of International Affairs*, Vol. VIII, No. 2, p. 100.)

The impossibility of codification appears clearly in the fact that the codification proposed by Senators is to rest "on the basis of the inviolability of private property." The Senate would not accept the British view; in other words, there is no agreement as to what is "law." Manley O. Hudson says (*The Development of International Law Since the War*, *American Journal of International Law*, April, 1929): "• • • while some of the practices of neutrals and belligerents during the World War may have established precedents for the future, the war itself contributed little or nothing to the solution of juridical problems, nor to the establishment of new principles in the law relating to war and neutrality. No progress has been made since the war toward restating, clarifying, or improving our international law concerning the conduct of war. The present divergence of opinion as to the future of the

law of neutrality renders it difficult to foresee any fruitful attempts either to clear up the uncertainties which prevailed during the war, or to settle any of the controversies which arose, or to enact satisfactory legislation for the future."

All of this means that the so-called "codification of international law" requires an agreement on policy, and that is impossible, partly because neither side can foresee in what direction its interest will lie in any of the multiple contingencies that may arise, partly because the popular opinion of neither country would be willing to accept what would seem like dictation from the other. Lawyers could hold an institute for discussion, but official representatives could not find their way out of the labyrinth; and a quarrel of lawyers would be even more unfortunate than a quarrel of admirals.

There is an inherent difficulty in attempting to control the operations and the spread of war by a "law" for its conduct. The wit of man can not devise a code that would cover all the contingencies in a fashion satisfactory to any nation, not to say all of them; and a treaty of guaranty in large general terms is subject to the weakness that in the end the action of the guarantor depends upon the effect of circumstances upon his own interests. It is reasonably clear that a really definite agreement is impossible because, to mention the United States alone, it is not prepared to pledge itself in advance to abandon its traditional rights in hypothetical cases.

It did not seem to a majority of the group that the Kellogg-Briand pact for the renunciation of war by itself effectively removes the dangers which the controversy threatens. It is an unsupported negative agreement entailing no obligations upon the signatories to take action against a nation which might violate it; it is clear that if political circles accurately express American opinion the United States has no idea that by this pact it has assumed any obligations whatever to assist other countries against a violator of the pact and give up its traditional isolation. The discussion on such measures as the Porter resolution educates public opinion as to the importance of condemning a nation which should engage in hostilities in violation of a treaty or of the decision of a tribunal of its own selection; but it seems clear that the Senate, unless its composition is greatly changed, is not likely to bind the United States in advance to act in conformity with the behest of the league or of a conference of the other great powers.

The Capper resolution puts the responsibility for the adjudication of war guilt on the American Government, and makes it mandatory for the United States to render a judgment when any nation begins aggressive action. The Capper resolution flatters our feeling of unmitigated sovereignty—that we shall decide for ourselves what we should do—but it would require us to reach decisions which we should not always be qualified to make. For instance, in the Greco-Bulgarian incident the Capper resolution would have obligated us to decide for ourselves, and at once, which nation was criminal, although the European nations, better equipped than we with qualified observers refused to act on that basis. They stopped the hostilities before either nation was declared an aggressor; under the Capper resolution we should have had to declare a judgment on the merits of the case when hostilities began. In the Bolivia-Paraguay case, where hostilities had begun, the Department of State would have been embarrassed in trying to stigmatize the aggressor at any time up to the stoppage of hostilities.

An alternative theory which has been submitted to the American public, avoiding the responsibility of judgment, says that the American Government will treat as an aggressor any nation so declared by a tribunal or according to a procedure which it—the offending nation—has previously accepted; this means, of course, the League of Nations. The same reasons that led to a clear-cut league decision would of course influence American opinion, strengthened by the fact of the league's decision, and one may be optimistic about American sympathy with the league's course as long as it strongly dominates discordant influences. But it is not within the field of practical politics to expect the Senate to agree that this country will accept league decisions. Besides that leaves the United States passive and without influence until the war has begun; but the characteristic of modern war is that it spreads incalculably, and the unhappy contingency we are discussing is that in its spread it might draw in the United States and Great Britain on opposite sides. The chance of this would of course be reduced if it became a fixed tradition in each of the two countries that when a nation has violated the peace of the world or has so acted as to threaten that peace it would be an international offense to supply the violator with munitions of war or indeed any kind of supplies.

But undertakings as to behavior when the storm of war has been let loose affords no strong reliance; much better is it to cooperate in preventing war altogether than to cooperate in attempting to limit it once it has begun. The tendency, not only of the council of the league, but of the great powers—and there are signs that the United States is beginning to take the responsibility for a share of leadership in this regard—is to consider that the easiest way of determining who is the aggressor is to insist that both parties to an incipient conflict avoid hostilities.

There we have the program for settling the controversy of the freedom of the seas. Congress on the passage of the last

naval appropriation bill inserted in that measure an amendment asking the President to call a conference on the freedom of the seas. That has not been done, and this group gives us very many reasons why that should not be done.

Mr. President, I want to call the attention of the Senate to one or two more paragraphs which I think are very significant. They go on to say:

If the United States and Great Britain should individually adopt this policy—

That is, a policy of cooperation, that one nation should not be a belligerent and the other a neutral at the same time, that they should stand together and act together—

If the United States and Great Britain should individually adopt this policy of exerting all the pressures at their command to prevent hostilities, the controversy between Great Britain and the United States over naval questions disappears, for the two navies, ex hypothesi, would be the servants of a common purpose. An understanding that both countries would be belligerent or both neutral at the same time would tend to solve the problems of parity and neutral rights, since those problems originate in the difference between an assumed policy of belligerency and an assumed policy of neutrality. Thus the legalistic controversy between the two countries over the respective rights of belligerent and neutral in respect of sea-borne trade with the enemy would never have to be solved, because it would disappear from view. The status of neutrality would be changed, and the "moral" values which are supposed to attach to it would disappear, as they do in frontier civilization as soon as the first "vigilant" committee is organized.

If that means anything, it means that the United States, which is usually assumed to be neutral in case of war, if Great Britain is a belligerent will agree not to be a neutral. In other words, it seems to me that this is a complete and clear proposition on behalf of these people that the United States shall underwrite the policies of Great Britain.

They continue:

There is no better outcome for controversies than this. The historian Lecky points out again and again that many issues of history, never settled, have ceased to disturb the world because they have become obsolete and no sensible person would resurrect them for discussion.

It should here be noted that alliances to accomplish selfish national ends have not infrequently taken the form of engagements to prevent others from making war, and been in fact military alliances. It is of great importance, therefore, that any understanding should not be special to the two countries, but should be general and include all others having the same aim. Conference and collaboration on every occasion should include all those powers of any importance which are prepared to give their energies and can be useful in preventing the outbreak of hostilities. It must also be admitted that the prevention or stoppage of hostilities does not solve controversies or bring justice to a country suffering under the status quo; there must be system for removing the difficulties which, unsolved, continually threaten conflict. Such a system is a necessary adjunct to the negative provisions of the Kellogg-Brand pact. The system exists, of course, in the League and the World Court, supplemented by the scheme of the Locarno treaties. The prevention of hostilities therefore remits the potential combatants to the processes of the league, but there is nothing alarming in that; even American isolationists seem now to be satisfied that the league should function effectively, provided the United States is not drawn into its ambit.

There remains only to consider the question of method in coming to an understanding between the two countries. The council on foreign relations group as a whole did not believe that an attempt at a treaty on the above lines which would have to be ratified would be likely to succeed. The majority were of the opinion that one-third of the Senate plus one would almost certainly be unwilling (on account of its jealousy of the executive power in foreign affairs) to grant to the Executive the broad authority necessary for action on the lines proposed above.

But neither such a new treaty nor such Senate authority to the Executive seems to be necessary. In the treaty for the renunciation of war the parties have agreed to renounce war as an instrument of national policy and to use none but pacific means in the settlement of controversy. To try to prevent a breach of the treaty by country A in the form of hostilities is a contract right of all the other countries, and it attaches to the United States for enforcement if the United States desires.

So far as concerns the manner of promulgating a policy approved by American opinion, it may be observed that the policy of the United States which has met with universal acclaim and unquestioned application in all contingencies, viz, the Monroe doctrine, was a matter of action solely by the Executive. With this as a precedent it is possible for the highest authorities on each side of the water to have an understanding by which the navies will not come in conflict in case either

country is engaged in an individual war and, more important, that it shall hereafter be a fundamental policy of both nations to join with other nations in the repression of hostilities by whomsoever and wheresoever undertaken or threatened. If there be no war there can never be a controversy between the "rights" of a belligerent and the "rights" of a neutral over the sea-borne commerce of the neutral with the belligerent's enemy. Public utterances to this effect on each side simultaneously or opportunistically made, whether by the method adopted for the enunciation of the Monroe doctrine or in some other equally effective fashion, can be counted on to bring public opinion to the support of the common policies and to leadership in a general habit of conference to the end of preventing war.

To that final sentence I have no particular objection. It would lead one to believe that the main part of this program is for international conferences, when as a matter of fact they say it is not possible to get a definite agreement and understanding, but that there should be an understanding for the cooperation of the two navies in case of trouble, and that one country should not be neutral if the other is a belligerent. If that is not a proposition for an alliance to pool the navies of the two countries, I do not know what it is.

On the matter of international conferences we seem to have come to a stage of hysteria. We are meeting on every possible occasion, calling conferences from all over the world, and delegations gather for the purpose of assuring each other that we do not intend to make war upon the nations whose delegates sit in conference with our delegates. We are approaching the kind of a psychological situation that was prevalent before or leading up to the World War.

That seems to me as effective for promoting peace as it would be for a group of neighbors to call a weekly conference for the purpose of assuring each other that they did not intend to kill each other. No effort has been made to codify or restate or clarify the rules of international law, which were entirely torn to shreds during the World War, and the Senate of the United States has gone on record as indorsing the restatement, codification, and clarification of international law as a very important step in the interest of international peace.

As a matter of fact, it seems to me it is useless to talk of peace so long as the nations of the world will pay no attention to the rights of others. When war comes, no one pays the slightest attention to international law. The only law that rules the sea or the land in time of war is the law of force, and war results from economic conflicts which far antedated the war. Until these delegations come together for the purpose of discussing causes of war and their elimination, I can not see how the conferences about armaments, discussing the symptoms of war instead of the causes of war, can take us very far on the road that leads to peace.

Mr. President, I have taken this time to read into the Record part of this program of this very powerful organization.

I do not question their right to have such a program. They are undoubtedly sincere.

I think it would be a very serious mistake to permit such a program to go into effect. The world is drifting back to a diplomacy of secrecy and secret understandings. The best safeguard for the United States, I believe, is for the Senate of the United States to insist upon its rights and prerogatives as part of the treaty-making power, dealing with foreign nations, that they have a right to know all that takes place in negotiation with foreign countries, that they have a right to all the documents and all the papers.

The more people try to entangle us in the political systems and controversies of Europe, the more that policy becomes manifestly necessary, and the more it should be insisted upon.

I want it understood that I have not taken this position, in insisting on the rights and prerogatives of the Senate, for the purpose of casting any reflection on the distinguished Senators who represented the President at the London conference or upon the President or the Secretary of State. I do not like to hear the Secretary of State referred to as the personal ambassador of the President. In olden days, under despotisms, despots had personal representatives to negotiate treaties. A member of the Cabinet is merely a clerk of the President. The President is the head of the executive departments, and has no personal representatives in dealing with foreign or diplomatic matters of public concern, and, with all due respect to the Senator from Pennsylvania, I want to dissent from that point of view implied in the term "personal ambassador" applied to the Secretary of State.

Mr. JOHNSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Goldsborough	McKellar	Shipstead
Bingham	Gould	McMaster	Shortridge
Black	Greene	McNary	Smoot
Borah	Hale	Metcalf	Stetson
Brook	Harris	Moses	Sullivan
Brookhart	Harrison	Norris	Swanson
Capper	Hastings	Odell	Thomas, Idaho
Caraway	Hatfield	Overman	Thomas, Okla.
Copeland	Hebert	Patterson	Townsend
Cougens	Howell	Phipps	Trammell
Dale	Johnson	Pine	Vandenberg
Deneen	Jones	Pittman	Wagner
Fess	Kean	Reed	Walcott
Fletcher	Kendrick	Robinson, Ark.	Walsh, Mass.
George	Keyes	Robinson, Ind.	Walsh, Mont.
Gillett	King	Robison, Ky.	Watson
Glass	La Follette	Schall	
Glenn	McCulloch	Sheppard	

The VICE PRESIDENT. Seventy Senators have answered to their names. A quorum is present.

Mr. REED. Mr. President, the question, as I understand it, is on the reservation offered by the Senator from Nebraska [Mr. Norris], from which he has deleted the preambles which were attached to it in its printed form. I hope that the reservation will be agreed to.

Mr. JOHNSON. Mr. President, I simply want to suggest that that settles the question. We will adopt it unanimously.

The VICE PRESIDENT. The question is on agreeing to the reservation offered by the Senator from Nebraska.

The reservation was agreed to, as follows:

Resolved further, That in ratifying said treaty the Senate does so with the distinct and explicit understanding that there are no secret files, documents, letters, understandings, or agreements which in any way, directly or indirectly, modify, change, add to, or take from any of the stipulations, agreements, or statements in said treaty; and that the Senate ratifies said treaty with the distinct and explicit understanding that, excepting the agreement brought about through the exchange of notes between the Governments of the United States, Great Britain, and Japan, having reference to Article XIX, there is no agreement, secret or otherwise, expressed or implied, between any of the parties to said treaty as to any construction that shall hereafter be given to any statement or provision contained therein.

Mr. WALSH of Massachusetts. Mr. President, I move the adoption of the reservation, which I send to the desk.

The VICE PRESIDENT. The clerk will report the reservation proposed by the Senator from Massachusetts.

The legislative clerk read the proposed reservation, as follows:

That in ratifying said treaty the United States does so with the distinct and explicit understanding that the United States contemplates and intends the substantial completion by December 31, 1936, of all cruisers of subcategory (a), all aircraft carriers, destroyers, and submarines, which it is entitled to construct under the terms of said treaty.

Mr. WALSH of Massachusetts. Mr. President, I inquire, who can possibly oppose this reservation on the ground that any other nation will be offended? Will Great Britain be offended by a declaration by us that we intend to do what she admits we can do and what she has already done? Will Japan be offended by a mere declaration by us that, now that we are inferior in naval strength, we intend to carry out the concessions made to us in this treaty?

There is one person who may be uncomfortable, and that is the President of the United States, because he will have to accept or reject the reservation. Does he favor the construction of the naval vessels conceded to us in the treaty? Is he opposed to the construction of these naval vessels? The American people have a right to know. This is his treaty. He more than any other American will get the credit, if credit is due, for the adoption of the treaty. The American people who are surrendering freedom of action for all time though apparently the treaty is only operating until 1936 in determining the strength and type of navy they may need in the future, independent of other countries, ought to know whether those who advocate it intend it to legalize an inferior navy in America.

Mr. President, I think we can fairly assume that the delegates who represented us in London took into consideration every factor—our commerce, to what extent it should be supported by reasonable naval defenses, our obligations to ourselves and the world in the Canal Zone, our obligations of maintaining an adequate navy to guard our possessions in different parts of the world. Considering every factor that they ought to consider, they determined upon a definite, specific number of naval craft in the various categories of the Navy. Not only did they reach the conclusion that they could not reduce our Navy below what is provided for in the treaty but they legalized, so far as they could through this treaty, the naval craft that other governments may maintain. Therefore, if we approve the treaty, we approve, in substance, the judgment

reached by the representatives of the various nations as to the size of the navy which they are to have for their own security and which we are to have for our own security. Is that disputed?

If that is so and we are now going to vote to approve the arrangements so reached, how can we escape the responsibility of saying to the country, "We intend to build a navy which will actually put us upon this treaty parity"? Great Britain and Japan have nothing more to build. If we are to be on an actual parity, as provided by the treaty, additional craft we must build. Do we intend to do it? Should the American people know what our policy is to be? Remember that freedom of action ends with the signing of this treaty and "disarmament by example" ends by the signing of the treaty.

It was all well and proper to have advocated, as many well-meaning people have advocated, when no limitations had been placed upon any of the navies of the world, that we could perform a useful and a peace-promoting service by reducing our Navy voluntarily to the minimum, called very appropriately "disarmament by example." But that time has gone. To do that now would be to give notice to the world that we are inferior and that we intend to be inferior; to do that now would be to legalize inferiority, having allowed a maximum to the other nations without availing ourselves of the maximum allowed us.

Frankly, I must confess that I have not been able to find much consolation from the policy of "disarmament by example." In view of the fact that since the Washington treaty of 1922 and up to the enactment of the cruiser bill in 1929 the four other signatories to the Washington Conference treaty laid down or appropriated for 400 ships to our 11 ships. These figures would seem to show the utter futility of "disarmament by example."

What do you mean by parity? Does parity involve any obligations? Does it not involve obligations to ourselves and obligations to the other high contracting parties? Let me illustrate: Suppose three nations agreed that each should carry a definite amount of insurance for its own safety, for the security of its own people and for the general welfare of all three countries; what would be thought of the country which refused to carry the amount of insurance provided in the agreement when the other two countries insured to the limit? Would it be not only negligent of the welfare of its own people but would it not also be an act of indifference to the other two countries?

Let me suggest another illustration: Suppose three nations—Canada, and the United States, and, for instance, another nation of the Western Hemisphere—agreed to a definite police force that each should maintain for the suppression of crime, for the protection of their interchange of commerce, for their general welfare, and for stabilizing peace, and two of those countries maintained and appropriated money for the police force designated, but the third country refused to do it. I submit that refusal would be a breach of the agreement in so far as it related to her relationships with the other two countries, and would also be an act of negligence toward her own people.

If this treaty means anything, it means that those who negotiated it have agreed that the kind of a navy each country is allotted will be a benefit to the world, in that it will stabilize world conditions, will tend to promote peace, and will give added protection to the commerce of the various countries interested, because each will be maintaining the navy that is designated as needed in the treaty.

I know a great many Senators are saying, "That is all right; I approve of that, and I intend in the future, after this treaty shall have been ratified, to vote for liberal appropriations for our Navy." However, Senators, we are now confronted with that issue on the eve of the ratification of this treaty. Senators openly declare against building to actual parity. Do not think for one moment that the overwhelming defeat of the proposal submitted by me will not give encouragement, force, and strength to every element in this country which is advocating disarmament by example.

Mr. President, I do not mean to reiterate in detail what I said on Saturday last, that my purpose in presenting this reservation is inspired solely by the unmistakable and overwhelming evidence that runs all through the testimony presented in the hearings and debates that our delegates failed to get naval reduction in London, and they failed to get it in Geneva, because we had nothing to scrap and we were in the position of asking others to scrap because of our naval inferiority.

In view of the experiences of the past, who can doubt but that there never will be a reduction in naval armament at a future conference if the position of the United States is merely "You must scrap; we have nothing to scrap."

Mr. Coolidge recognized this weakness in our position at the Geneva conference, and it led to his taking, for the first time in his administration, an active attitude toward the building of more cruisers. I am convinced that the only way to bring about a reduction of the navies of the world is for the American Government to be represented at the peace conference in 1936 by delegates who can say, "We are no longer inferior; we are on an actual parity, gun for gun, and vessel for vessel, so far as we were able to determine it at the London conference. We can therefore stop asking our people to replace their obsolete vessels; we can all reduce expenditures for our Navy by wiping off the obsolete vessels, at least little by little, and make that actual move toward universal naval disarmament."

Mr. President, I shall vote for the ratification of this treaty if this reservation is adopted. I shall then feel that nobody can fling in my face the assertion that I voted to legalize an inferior Navy for my country and failed to remove the cause that made Geneva and London failures in obtaining reduction. This roll call will mean, if the reservation shall be rejected, that we choose to have merely paper and not actual parity. That does not mean that I have not great respect for the motives of the class of people in this country who still sincerely believe, notwithstanding this treaty, that we ought to continue the policy of disarmament by example. I have great respect for that well-meaning group; but as for myself, now that freedom of action has been taken away, now that we are designating just what other nations may have in the way of navies, and what we believe we ought to have, I want the Senate to make a declaration that we propose to have what is actually conceded to us.

Mr. President, many Senators on this floor who sincerely believe that we never should spend any more money for the enlargement of our Navy, or that we should spend only a small sum of money, will naturally vote against this reservation; but I ask those Senators who are voting for the treaty to remember that they are voting to say "We need these vessels"; they are voting to approve an agreement that America needs a navy of a certain size in view of the concessions to other countries. You can not deny that, and I do not propose to be charged with negligence in providing at this juncture for the naval need agreed upon in this treaty.

In the interest, then, of real naval reduction in the future, and in the interest of giving our people assurance that the Senate of the United States in proceeding to ratify the treaty is willing to go on record as declaring it as a principle that we will not permit our Navy to be inferior to the navy of any other country, I hope the reservation will be adopted.

Mr. BORAH. Mr. President, I can say in a single sentence what I desire to say. It is altogether probable that we shall do during the next six years precisely what the reservation indicates we should do; but, for myself, I am not prepared at this time, with the consideration which I have been able to give to the matter—which is very little—to commit myself definitely to a program of the kind now proposed. I can very easily see how it will not only be the duty but a matter of necessity upon the part of the United States to build in accordance with the treaty, and, as I have said, in all probability we shall do so; but the Senate is only a part of the body which has authority to determine that question; the Congress of the United States must determine it; and, for myself, I prefer to wait until the matter shall be presented to us in the ordinary way in which such matters come to us for consideration.

Mr. JOHNSON obtained the floor.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from California yield to me for a moment?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Massachusetts?

Mr. JOHNSON. I yield.

Mr. WALSH of Massachusetts. I merely wish to say to the Senator from Idaho that the Senate of the United States is the one branch of this Government that is taking away freedom of action for the whole Government.

Mr. BORAH. Exactly, but we leave perfect freedom to build up to the limit authorized by the treaty; we are not committing ourselves against building up to that limit; the Congress has the absolute power to comply, and by ratifying this treaty we shall not in any way be refusing to build up to that limit.

Mr. JOHNSON. Mr. President, this morning I listened to one Senator who spoke of "big-navy" men and argued in behalf of the treaty. I heard another deliver an apostrophe to peace and tell about how his heart yearned for peace in its desire to carry out the particular treaty and to have it adopted and ratified.

I am no big-navy man; I never have been; I yield to none in the desire for peace; but I will not use that desire as a mere

camouflage to prevent what I believe to be adequate protection for our country. I am for peace, just as the Senator from Kentucky [Mr. ROBINSON] said he was for peace this morning, and just as the Senator from New York [Mr. WAGNER] says he is for peace; but when there is brought to us a scheme providing what shall be done ultimately with respect to our Navy, I want, if I can, in accordance with the views I hold, to have that Navy sufficient to protect all men who may be compelled under our edict to go to war in the future. I want to give them an equal chance with every other nation and every other set of men on the face of the earth if they should be sent to war. It is in that aspect, and that alone, that I am a navy man, and no other at all; it is in that aspect, and that alone, that I stand here opposing this particular treaty, because of the belief that it is mine in respect to its provisions.

The reservation that has been presented by the Senator from Massachusetts [Mr. WALSH] is an extremely important one. It is important as declaring a sentiment or opinion of the Senate of the United States, which is now about to act upon the Navy of the United States, as regards what shall be done after the Senate shall have acted upon that Navy by the execution of a treaty.

It is true, of course, that ultimately the question comes in another form by virtue of a particular appropriation that may be made in one form or another. It is true, of course, that it may come to us in the form of one kind of program or another. I do not forget, however, that it is only a year and a half ago when, upon the floor of the Senate, the proponents of this treaty—the two Senators who are making the contest in its behalf—stood here fighting for a cruiser program in behalf of the United States, and they were ably seconded by the Senator from Idaho [Mr. BORAH], who was for that cruiser program provided it dealt with the question of the freedom of the seas. I recall that contest, and the fact that we enacted a law then for a cruiser program, and a law that gave to the United States of America 23 cruisers if that program had been carried out.

To-day, we are emasculating that law. Instead of giving to the United States of America the 23 cruisers that we decreed we should have, we are emasculating it now by giving to the United States of America 15 cruisers up to 1935, 16 cruisers up to the end of 1936, and 18 cruisers within one and two years, respectively, thereafter. We are repealing the law that we ourselves passed a year and a half ago here in respect to the cruiser bill.

Now it is sought, as I follow him—I am not particularly familiar with the reservation—but, as I follow him, it is sought by the Senator from Massachusetts to announce a policy here at the time of the emasculation, the decapitation, the absolute changing of the cruiser program that we adopted a year ago. It is sought by him to say that the United States Senate will carry out a certain policy in a certain way.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Arkansas?

Mr. JOHNSON. I yield.

Mr. ROBINSON of Arkansas. Does not the Senator think that the question as to whether the Congress will enact the legislation necessary to carry out the program of the treaty is a purely domestic question? And, if that be true, how can it be properly resolved into a reservation to constitute an interpretation of any provision in this treaty? In other words, what concern have the other signatories to this treaty with the question raised by the reservation?

Mr. JOHNSON. They have none. The Senator is quite right.

Mr. ROBINSON of Arkansas. Then, I wish to suggest to the Senator the question of propriety as to attaching a reservation of that character.

Mr. JOHNSON. No; there I disagree with the Senator. I agree with this premise; the other countries have naught to do with it; but it is a perfectly appropriate thing for the Senate to express its opinion, as I view it, and to express its opinion as to what shall be done in the future in regard to the building of the Navy that it is dealing with by treaty at the present time. We have the right to do it. The question of propriety; there is nothing in the propriety of it that should shock one, it seems to me. We have the right, and there is nothing that is inappropriate in the expression of the opinion. I would rather, when this treaty is adopted, go out to the Pacific coast and say there, "The Senate of the United States has demonstrated conclusively, by the opinion it has expressed, that it is going forward with the building of the Navy under the treaty."

I can understand the objection that is voiced in some quarters here of those who do not care for a navy. I do not refer to the Senator from Idaho [Mr. BORAH] in this respect; but there

are some Members of the Senate who do not care for the Navy at all and who would not unite in an opinion at all in respect to the building of a navy, or in the suggestion of the expenditure of any appropriation in behalf of the Navy; but that is one set of opinions. Where we believe, as most of us do, in a navy and a navy that shall be adequate for our defense, it is not inappropriate in the slightest degree, in my opinion, to have us express the view that we are going to build under the treaty.

Mr. REED. Mr. President, I shall try to be as brief as was the Senator from Idaho [Mr. BORAH].

On examining this reservation, which calls for the building of the maximum number of 8-inch-gun cruisers permitted by the treaty, one is struck first by the fact that it amounts to an election under the option which we have either to build the last 30,000 tons of 8-inch-gun cruisers or in their place to build over 45,000 tons of 6-inch-gun cruisers. We insisted upon that privilege for the United States in the negotiation of the treaty; but if this reservation is adopted it nullifies that option which we otherwise would have, continuing throughout the treaty period; and none of us is wise enough to say that the option is wholly worthless.

In the next place, it seems to me that the reservation is objectionable, not because of the policy it enunciates—I personally believe that we should build a navy up to actual, tangible parity and not paper parity with Great Britain—but I think it is objectionable because it is an effort here by reservation in the Senate, in connection with a treaty dealing with international matters, to decide a domestic question on which the House has concurrent authority, and on which in all common sense we ought to hear from its Naval Affairs Committee and ours, and from its Appropriations Committee and ours, and from the House itself, before we commit ourselves to a decision.

Mr. JOHNSON. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. JOHNSON. May I suggest to the Senator that the Senator from Massachusetts sought to bring this up as a resolution, in executive session, so that he would not be compelled to present it as a reservation to the treaty; but objection was made upon the floor to-day to permitting him to do so, and this was the only mode that was left by which we could present his case.

Mr. REED. That is correct. I do not at all question the motives and intentions and spirit of the Senator from Massachusetts; and, as far as the building of a navy goes, I am in full accord with him. I do not, however, think this is the time or place; and I rise merely to explain that my vote against the Senator's reservation should not in any way be construed to mean a vote against the building of a navy up to actual parity with Great Britain, because in that I do most firmly and sincerely believe.

Mr. COPELAND. Mr. President, may I ask the Senator from Massachusetts [Mr. WALSH] whether he does not feel that, in last analysis, and a comfort for persons who are really and truly interested in peace, our country would go into the next naval conference very much better prepared to discuss peace if it has something to trade with? How helpless we shall be if we go there simply with blue prints. If we go there simply with the permission to build certain things which we have not built, as the Senator from Pennsylvania very well said in reply to a question of mine on Saturday—

Unless we do build up to the limit given to us, it is pretty good evidence to other countries that they need not be afraid of us in competition in building.

If I may say so to the Senator from Massachusetts, I have regarded his resolution, even in the form of a reservation, as a wise one, because it gives evidence to the world that we intend to have parity with Great Britain and our proportion as regards building with Japan, and that we intend actually to carry out the conditions of the treaty. Does not the Senator believe, with those persons who take the long view, who look forward through the ages and hope for the time when there will be peace, that we are actually promoting peace in the long run by carrying out the terms of the treaty?

Mr. WALSH of Massachusetts. Mr. President, that is exactly the motive that actuates me to present this reservation and to declare this policy and to have an actual parity rather than a paper parity.

If the Senator will bear with me, I can not state my views about that matter better than by quoting a sentence or two from a distinguished American along the very line he has presented:

We have given the experiment of "disarmament by example" full play for nearly a decade. It has led us nowhere, except to the inexorable necessity of unparalleled construction if our voice is to be heard in future conclaves assembled for ameliorating the world's armament burdens. We must build to-day if we would reduce to-morrow. Could any lesson be plainer? For America can no longer adopt a policy

which she proclaims as idealism so long as the rest of humanity views it in the less altruistic and more cynical light of apathy and economy.

I think that admirably expresses the sentiment.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Idaho?

Mr. COPELAND. I yield to the Senator.

Mr. BORAH. I think I recognize the article from which the Senator read. I also desire to record the proposition as we go along that I do not subscribe at all to the doctrine that we must build billions and billions of dollars' worth of vessels for the purpose of throwing them into the sea in order to get somebody else to throw something into the sea.

Mr. COPELAND. Mr. President, for my part, as I look forward at all to another naval conference, if we go to the conference without having actually carried out the privileges which we have under this treaty, we will be in that new conference without influence.

This country is a country that stands for peace. We can trust ourselves, as I said the other day. Whether others can trust us or not, we know, and every man in this Chamber knows, that there is no desire on the part of the American people to take possession by force of a single acre of earth which is not now ours.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Oklahoma?

Mr. COPELAND. I yield.

Mr. THOMAS of Oklahoma. Inasmuch as this matter is alleged to be a bluff and counterbluff, does not the Senator believe that the incorporation of this reservation, if adopted to this treaty, would have the force and effect of the building of quite a number of these ships?

Mr. COPELAND. Yes; I do think so, and I hope so, and I want that to happen. If we ratify this treaty, as I assume we will, I want to see our country build these ships, because if we simply become a party to the treaty by giving our assent to the treaty, and then do not build up to the possibilities of the treaty, we shall make ourselves the laughingstock of other nations when we discuss disarmament in the future. They will say, "You have nothing to give us; you have nothing to offer us in the way of disarmament." We would become of no consequence or influence in that succeeding conference, in my judgment.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. COPELAND. I yield to the Senator.

Mr. WALSH of Massachusetts. I should like to have the Senator state how he reconciles the position of those who assert that for the Senate to remove the right of the United States Government and its people to lower or lessen its Navy as it sees fit in an international question, but that when the Senate undertakes to make a declaration in favor of a fixed naval policy in relation to other governments, urging the building of the craft named in this treaty, it is engaged in a domestic question. Will the Senator explain the distinction?

Mr. COPELAND. Mr. President, I think I share the view held by the Senator from Massachusetts. I am not criticizing any other Member of the Senate who has a different view. But why are we not honest with the people of the world? Why do we not declare that when we assent to this treaty it means exactly what it says and that we are going to build these ships?

If there were a firm and steadfast determination on our part, made clear to the world, that we were actually going to build these ships, other countries would be less eager, perhaps, to go on with their building programs.

Mr. WALSH of Massachusetts. Mr. President, is not the honest reason why we do not declare the policy the fear of offending a small group in this country who do not intend that we shall ever build the ships?

Mr. COPELAND. Of course, Mr. President, I can not say what motives induce other men to vote. I know that for myself it is a matter of deep regret on my part that I have to offend thousands of fine citizens of my State who are impressed with the idea that this treaty is a wonderful thing; that it makes for peace; that it makes for disarmament; that it makes for lower taxation. As a matter of fact, if we actually carry out the treaty, it means no one of those things and our country will have to spend an enormous sum of money, estimated as high even as a billion dollars.

If we are going to be honest with the people of the world, if we intend to carry out this treaty and to build up to its terms, why should we not say so? Why not express frankly that that is our intention?

I can not for the life of me see why that is not a matter of international consequence, international concern.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield to me?

Mr. COPELAND. I yield.

Mr. ROBINSON of Arkansas. Of course, the Senator knows that the adoption of this reservation would not bind a future Senate. He knows it could only constitute an expression of opinion by the Senators who are now engaged in the ratification or rejection of the treaty.

Mr. COPELAND. I know that.

Mr. ROBINSON of Arkansas. It would not effectuate anything, would it?

Mr. COPELAND. No; nor would the ratification of the treaty.

Mr. ROBINSON of Arkansas. Some of us think differently. Some of us feel that the ratification of the treaty is an issue which does involve an international question. The legislation necessary to carry out the maximum program of the treaty, the passage of the necessary appropriation bills, as well as the authorizations, is purely a domestic question. An expression of opinion by the Senator now would not effectuate anything with regard to carrying out the program. It would be a mere expression of opinion by those who now constitute the Senate.

Mr. COPELAND. Mr. President, let me say to my friend from Arkansas that by the ratification of the treaty we would bind our people to this particular limitation of what we can do.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield again?

Mr. COPELAND. I yield.

Mr. ROBINSON of Arkansas. There can be no limitation of armament except through a process which binds the nations limiting their armaments. How can naval armament be restricted or limited in any way except by an international agreement? The term "limitation of armaments" itself implies, of course, a restriction on the construction to be carried on by the governments which join in the treaty. We can not have limitation of armaments without doing that.

Mr. COPELAND. Mr. President, of course by the ratification of the treaty our limitation of armament becomes the supreme law of the land. We will not go beyond that. We can not go beyond that, can we?

Mr. ROBINSON of Arkansas. Certainly not. No one with a proper regard for the obligations of the country would expect to violate a treaty solemnly entered into. The object of it is to give assurance to other nations as to the limitations on our programs for naval construction.

Mr. COPELAND. Mr. President, sometimes men are driven into expressions which they do not like to use. I have no criticism to pass upon the Senator from Arkansas or the Senator from Pennsylvania. I know they are perfectly frank with us when they say that there are no secret arrangements, but, so far as I am concerned, I am not so sure that there have not been intimations made by others unknown to the Senators who were in that delegation. Any way, to offset all that, I think we should say to our people, and to the peoples of the world, that, so far as the Senate is concerned, if this treaty is ratified, it is our intent to build up fully to the degree fixed by the treaty. I can not see why one of us should hesitate to vote to do that very thing.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield to me?

Mr. COPELAND. I yield.

Mr. WALSH of Massachusetts. I understand the Senator agrees that the adoption of this reservation would remove every possible suggestion that has been made that there are secret understandings in reference to whether we should build or not.

Mr. COPELAND. It would make clear to Japan and to England, and to any other interested country, if they have received any intimation, or thought they have, that the Senate of the United States does not ratify that secret understanding.

Mr. WALSH of Massachusetts. That was one of my purposes in presenting the reservation.

Mr. COPELAND. Mr. President, to my mind it is a perfectly proper thing that we should adopt this reservation proposed by the Senator from Massachusetts.

Mr. WALSH of Montana. Mr. President, I supposed that was the purpose with which the reservation presented by the senior Senator from Nebraska [Mr. NORRIS] had been offered and was adopted by the Senate.

Mr. COPELAND. Perhaps some of us would like to make assurance doubly sure.

Mr. WALSH of Massachusetts. There is this distinction: We may never discover through the reservation offered by the Senator from Nebraska that there are any secret understandings. Our actual building of these vessels will remove the claim that there are secret understandings.

Mr. COPELAND. Mr. President, this may not be the time to speak of it, but I can not understand why some of us are so enthusiastic over this treaty, when selfish use will be made of it to further the political interests of certain persons.

I think the Senate should adopt the reservation proposed by the Senator from Massachusetts. Then, if an official of the State Department were sent to Japan, and, perhaps on his own account, without knowledge even of the President, gave intimations which lead the Japanese to be kindly disposed toward the treaty, they will know that, so far as the Senate is concerned, it is our purpose to build up to the very limit of what the treaty proposes. It is certain, then, that the effects of secret understandings, if there are such, will be fully dissipated.

The VICE PRESIDENT. The question is on agreeing to the reservation proposed by the Senator from Massachusetts.

Mr. WALSH of Massachusetts. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. LA FOLLETTE (when Mr. BLAINE's name was called). Making the same announcement as before concerning the absence of my colleague, I desire to announce that if present he would vote "nay."

Mr. COPELAND (when his name was called). On this matter I have a pair with the senior Senator from North Carolina [Mr. SIMMONS]. I understand that if he were here and permitted to vote, he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. GOULD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. BLEAKE], which I transfer to the junior Senator from Pennsylvania [Mr. GRUNDY], and vote "nay."

Mr. PITTMAN (when his name was called). The junior Senator from Mississippi [Mr. STEPHENS] was compelled to leave the city. I have a general pair with that Senator on all matters connected with this treaty. Not knowing how he would vote on this question, I am compelled to withhold my vote.

Mr. SHIPSTEAD (when his name was called). I have a pair with the junior Senator from Arizona [Mr. HAYDEN]. Not knowing how he would vote on this question, I withhold my vote.

Mr. PHIPPS (when Mr. WATERMAN's name was called). My colleague [Mr. WATERMAN] is necessarily absent. He has a general pair with the junior Senator from Montana [Mr. WHEELER].

Mr. WATSON (when his name was called). I am released from my pair with the senior Senator from South Carolina [Mr. SMITH] on this vote, because he would vote as I shall vote. I vote "nay."

The roll call was concluded.

Mr. LA FOLLETTE. I was requested to announce the absence of the senior Senator from North Dakota [Mr. FRAZIER] and to state that if present he would vote "nay."

Mr. FESS. I wish to announce the following general pairs:

The Senator from New Jersey [Mr. BAIRD] with the Senator from Louisiana [Mr. BROUSSARD]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Alabama [Mr. HEFLIN].

The result was announced—yeas 11, nays 54, as follows:

YEAS—11			
Bingham	Kendrick	Oddie	Thomas, Okla.
Hale	McKellar	Overman	Walsh, Mass.
Johnson	Moses	Robinson, Ind.	
NAYS—54			
Allen	Glenn	La Follette	Smoot
Black	Goldsborough	McCulloch	Steiwer
Borah	Gould	McMaster	Sullivan
Brock	Greene	McNary	Swanson
Brookhart	Harris	Metcalf	Thomas, Idaho
Capper	Harrison	Norris	Townsend
Couzens	Hastings	Patterson	Trammell
Dale	Hatfield	Phipps	Vandenberg
Deeney	Hebert	Pine	Wagner
Fess	Howell	Reed	Walcott
Fletcher	Jones	Robinson, Ark.	Walsh, Mont.
George	Kean	Robison, Ky.	Watson
Gillett	Keyes	Sheppard	
Glass	King	Shortridge	
NOT VOTING—31			
Ashurst	Connally	Hayden	Simmons
Baird	Copeland	Hefflin	Smith
Barkley	Cutting	Norbeck	Steck
Blaine	Dill	Nye	Stephens
Bleas	Frazier	Pittman	Tydings
Bratton	Goff	Ransdell	Waterman
Broussard	Grundy	Schall	Wheeler
Caraway	Hawes	Shipstead	

So the reservation of Mr. WALSH of Massachusetts was rejected.

Mr. McKELLAR. Mr. President, I offer the following reservation.

The VICE PRESIDENT. The reservation will be reported for the information of the Senate.

The Chief Clerk read the reservation, as follows:

Resolved by the Senate, That as a condition to the ratification of the foregoing treaty by the United States it is understood and agreed that hereafter the high contracting parties in both times of peace and of war will respect the rights of all neutrals to the absolute freedom of the seas outside of Territorial waters; and it is further expressly understood and agreed that each and all of said high contracting parties will guarantee among themselves, and as far as they can to other nations, the natural rights of all neutral nations and their nationals to ship their goods, wares, and merchandise on the high seas, in times of peace and of war, to and from all nations, belligerents or neutrals, without interference or molestation or injury, and before this ratification becomes effective this reservation will be agreed to in writing by each of the other signatories to said treaty.

Mr. McKELLAR. Mr. President, I am not going to argue again the reservation. I would like to have a yea-and-nay vote on it and with that I will be content. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. COPELAND (when his name was called). On this matter I have a pair with the senior Senator from North Carolina [Mr. SIMMONS]. If he were here and voting, he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. PITTMAN (when his name was called). Making the same announcement as before and letting this announcement stand for all votes on the treaty, I withhold my vote.

Mr. PHIPPS (when Mr. WATERMAN's name was called). I again announce that my colleague the junior Senator from Colorado [Mr. WATERMAN] has a general pair with the junior Senator from Montana [Mr. WHEELER].

Mr. WATSON (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. I am informed that if he were present he would vote as I shall vote, and I am therefore at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. SHIPSTEAD. On this question I am paired with the junior Senator from Arizona [Mr. HAYDEN]. I understand that if he were here he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. GOULD. I have a general pair with the junior Senator from South Carolina [Mr. BLEASE], which I transfer to the junior Senator from Pennsylvania [Mr. GRUNDY], and vote "nay."

Mr. FESS. I again announce the following general pairs: The Senator from New Jersey [Mr. BAIRD] with the Senator from Louisiana [Mr. BROUSSARD]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Alabama [Mr. HEFLIN].

The result was announced—yeas 9, nays 58, as follows:

YEAS—9			
Bingham	Johnson	Moses	Robinson, Ind.
Hale	McKellar	Oddie	Walsh, Mass.
Harris			
NAYS—58			
Allen	Glenn	McClulloch	Smoot
Black	Goldsbrough	McMaster	Steiwer
Borah	Gould	McNary	Sullivan
Brock	Greene	Metcalf	Swanson
Brookhart	Harrison	Norris	Thomas, Idaho
Capper	Hastings	Overman	Thomas, Okla.
Caraway	Hatfield	Patterson	Townsend
Couzens	Hebert	Phipps	Trammell
Dale	Howell	Pine	Vandenberg
Denen	Jones	Reed	Wagner
Fess	Kean	Robinson, Ark.	Walcott
Fletcher	Kendrick	Robison, Ky.	Walsh, Mont.
George	Keyes	Schall	Watson
Gillett	King	Sheppard	
Glass	La Follette	Shortridge	
NOT VOTING—29			
Ashurst	Copeland	Heflin	Steck
Baird	Cutting	Norbeck	Stephens
Barkley	Dill	Nye	Tydings
Blaine	Frazier	Pittman	Waterman
Blouse	Goff	Ransdell	Wheeler
Bratton	Grundy	Shipstead	
Broussard	Hawes	Simmons	
Connally	Hayden	Smith	

So Mr. McKELLAR's reservation was rejected.

Mr. McKELLAR. Mr. President, I offer the following reservation.

The VICE PRESIDENT. The reservation will be read for the information of the Senate.

The Chief Clerk read the reservation, as follows:

Resolved by the Senate, That the Senate ratify the foregoing treaty with the distinct understanding and agreement that in the event any one of the five principal signatory powers hereto goes to war with an independent nation they will limit themselves in the number of merchantmen convertible into warships mounting guns in excess of 3-inch

caliber as follows: Great Britain, 30; United States, 30; France, 20; Italy, 20; and Japan, 20; and

Resolved further, That the other four principal signatory powers shall express their approval of this reservation before said treaty shall become effective.

Mr. McKELLAR. Mr. President, I am not going to argue this matter further. I ask merely for a viva voce vote. We know exactly what the vote will be.

The VICE PRESIDENT. The question is on agreeing to the reservation offered by the Senator from Tennessee.

The reservation was rejected.

Mr. McKELLAR. I offer the following reservation.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The Chief Clerk read the reservation, as follows:

Resolved, That it is specifically understood and agreed in the ratification of this treaty that during the treaty period between the ratification hereof and the 31st of December, 1936, Great Britain will, in the interest of peace and concord between the two nations and as an assurance of the oft-repeated statement of many of her leading statesmen that war with the United States is unthinkable, dismantle and, after said date of December 31, 1936, not maintain the following naval stations or bases contiguous to the territory of the United States: Halifax, Bermuda, Jamaica, Trinidad, and Esquimaux, and will not build others in the vicinity of said territorial waters, and that before this ratification becomes effective this reservation will be agreed to in writing by the Government of Great Britain.

Mr. McKELLAR. I simply ask for a viva voce vote.

The VICE PRESIDENT. The question is on agreeing to the reservation offered by the Senator from Tennessee.

The reservation was rejected.

Mr. McKELLAR. I offer the following reservation.

The VICE PRESIDENT. Let it be read for the information of the Senate.

The Chief Clerk read the reservation, as follows:

Resolved by the Senate, That the United States ratifies this treaty on the explicit condition and the express agreement that no one of the signatory powers hereto will violate the terms of the Kellogg pact, and in the event that any one of them does violate said pact it is understood and agreed that this treaty will ipso facto become null and void; and

Resolved further, That the other four principal signatory powers shall express their approval of this reservation before this treaty shall become effective.

The VICE PRESIDENT. The question is on agreeing to the reservation offered by the Senator from Tennessee.

The reservation was rejected.

Mr. McKELLAR. I offer the following reservation.

The VICE PRESIDENT. The clerk will report the reservation.

The Chief Clerk read the reservation, as follows:

Resolved by the Senate, That in the event any or more of the five principal signatory powers to this treaty, namely, the United States, Great Britain, Japan, France, and Italy, violate the Kellogg peace pact by going to war with an independent nation it is mutually understood and agreed that the said nation so going to war in violation of said Kellogg peace pact, that fact to be determined by arbitration as now provided for in existing treaties subsisting between the parties, shall pay as liquidation damages in equal proportions to the other signatories not going to war the sum of \$1,000,000,000; and

Resolved further, That the other signatory powers shall express their approval of this reservation before this treaty shall become effective.

Mr. McKELLAR. Mr. President, I merely want to state that I have offered these various reservations for the purpose of making this a peace treaty if possible. It is apparent that the Senate does not desire to have a real peace treaty, so I submit the reservation to a vote.

The VICE PRESIDENT. The question is on agreeing to the reservation offered by the Senator from Tennessee.

The reservation was rejected.

Mr. JOHNSON. Mr. President, on two of the reservations which I shall offer I am going to ask the indulgence of the Senate to permit a record vote. I offer the following reservation.

The VICE PRESIDENT. The reservation will be reported for the information of the Senate.

The Chief Clerk read the reservation, as follows:

It is understood and agreed that, notwithstanding the dates mentioned in Article XVIII, the United States may, if it so desires, construct at any time within the life of the treaty the three cruisers in said article referred to. Nothing contained in said article or in said treaty shall be construed as requiring the United States to construct three cruisers at the times mentioned in said article; but the sixteenth unit or the

seventeenth unit or the eighteenth unit of cruisers therein referred to, or all of them, may be constructed at any time by the United States after ratification of this treaty.

Mr. JOHNSON. Mr. President, I do not undertake a hopeless task now, because the facts are so obvious, the situation is so plain, and the necessity for the reservation is so demonstrated by the facts that of course the Senators who hear me now, I am very certain, will be glad indeed to vote for the reservation. Seriously speaking, this is a matter of very grave concern to those who live where I live, for instance. Let me read Article XVIII to the Senate.

ARTICLE XVIII

The United States contemplates the completion by 1935 of 15 cruisers of subcategory (a) of an aggregate tonnage of 150,000 tons (152,400 metric tons). For each of the three remaining cruisers of subcategory (a), which it is entitled to construct, the United States may elect to substitute 15,160 tons (15,409 metric tons) of cruisers of subcategory (b).

Subcategory (a) being the 8-inch-gun cruisers and subcategory (b) being the 6-inch-gun cruisers.

In case the United States shall construct one or more of such three remaining cruisers of subcategory (a), the sixteenth unit will not be laid down before 1933 and will not be completed before 1936; the seventeenth will not be laid down before 1934 and will not be completed before 1937; the eighteenth will not be laid down before 1935 and will not be completed before 1938.

I seek by this reservation, within the life of the treaty, to permit the poor old United States to construct the 18 cruisers which we are told have been given unto us. The treaty does not permit it.

Historically, let me now tell the tale. The other day the Senator from Pennsylvania [Mr. REED] very kindly and sweetly produced the proposal that was made by the United States delegates in London concerning cruisers. I have it here, and if any Senator is sufficiently interested to look at it he may do so. The United States delegates asked for 18 cruisers. We have here Mr. MacDonald's proposition. His proposition was constantly and continuously 18 cruisers for the United States. Neither in the proposition made by the United States delegates nor in Mr. MacDonald's proposal was there a single solitary sentence or word about the time of construction of three of those cruisers. We have here also the Japanese proposition. When the Japanese came into the game they said, "You may have 15 cruisers under this treaty up to 1936, and 18 cruisers thereafter; and we reserve the right at the conference to be held in 1935 to do exactly as we please in regard to cruisers." That is the story of the cruiser deal. Eighteen cruisers we were given—oh, yes; 18 cruisers—15 of which we could have only by 1936, and 2 subsequently, and we were obligated to hold another conference in 1935, when Japan reserved the right to do as she pleased in regard to our cruisers.

For the love of God, can we not give our country in this respect one single favorable construction in relation to this treaty? That is what I seek to do by this reservation. If we were to have 18 cruisers, as it has been asserted we were to have, there is no reason in the world why we should be restricted in the building of three of them, when there is not any restriction upon building by either Japan or Great Britain. That is the particular reservation that I have thus presented, and, if there be nothing to be said in respect to it, I ask for the yeas and nays upon it.

The VICE PRESIDENT. Is there a second?

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. COPELAND (when his name was called). Making the same announcement I previously made as to my pair with the Senator from North Carolina [Mr. SIMMONS], I withhold my vote. If permitted to vote, I should vote "yea."

Mr. GOULD (when his name was called). I have a general pair with the Senator from South Carolina [Mr. BLEASE]. I transfer that pair to the Senator from Pennsylvania [Mr. GRUNDY] and vote "nay."

Mr. SHIPSTEAD (when his name was called). On this question I am paired with the Senator from Arizona [Mr. HAYDEN]. If he were present, he would vote "nay," and if I were permitted to vote I should vote "yea."

Mr. WATSON (when his name was called). I have a pair with the Senator from South Carolina [Mr. SMITH], but I am informed that if present he would vote as I intend to vote, and therefore I am at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. FESS. I desire to announce the following general pairs: The Senator from New Jersey [Mr. BAIRD] with the Senator from Louisiana [Mr. BROUSSARD]; and

The Senator from West Virginia [Mr. GORE] with the Senator from Alabama [Mr. HEFLIN].

The result was announced—yeas 9, nays 57, as follows:

YEAS—9			
Bingham	McKellar	Oldie	Robinson, Ind.
Hale	Moses	Flue	Thomas, Okla.
Johnson			
NAYS—57			
Allen	Glenn	La Follette	Smoot
Black	Goldsbrough	McClulloch	Steiwer
Borah	Gould	McMaster	Sullivan
Brock	Greene	McNary	Swanson
Brookhart	Harris	Metcalf	Thomas, Idaho
Capper	Harrison	Norris	Townsend
Caraway	Hastings	Overman	Trammell
Couzens	Hatfield	Patterson	Vandenberg
Dale	Hebert	Phipps	Wagner
Denen	Howell	Reed	Walcott
Fess	Jones	Robinson, Ark.	Walsh, Mont.
Fletcher	Kean	Robison, Ky.	Watson
George	Kendrick	Schall	
Gillett	Keyes	Shoppard	
Glass	King	Shortridge	
NOT VOTING—30			
Ashurst	Copeland	Heffin	Steck
Baird	Cutting	Norbeck	Stephens
Barkley	Dill	Nye	Tydings
Blaine	Frazier	Pittman	Walsh, Mass.
Blease	Goff	Ransdell	Waterman
Bratton	Grundy	Shipstead	Wheeler
Broussard	Hale	Simmons	
Connally	Hayden	Smith	

So the reservation proposed by Mr. JOHNSON was rejected.

Mr. BINGHAM. Mr. President, I offer the reservation which I send to the desk.

The VICE PRESIDENT. The Senator from Connecticut offers a reservation, which will be read.

The Chief Clerk read the reservation, as follows:

If the provisions of Article XXI shall be invoked by either of the other contracting parties during the term of said treaty, and thereunder either constructs additional tonnage within any of the categories mentioned in said treaty, the United States shall be entitled to construct cruisers in either or both categories as the United States may deem appropriate within the limits of the tonnage specified by the party invoking said Article XXI.

Mr. BINGHAM. Mr. President, I want to congratulate those in charge of the treaty for the magnificent steam roller which they have constructed. It apparently does not make any difference what kind of a reservation is offered, those who are determined to put through the treaty in the form in which it was received, thereby showing their confidence in those who have drawn it, and their unwillingness to alter it in any way, by amendment or reservation, have amply demonstrated their ability to do so. At the same time, Mr. President, I hope the Senate will do me the courtesy to permit a record vote on this reservation. As it has not been printed, I shall offer a brief explanation of it.

It is of the same character as the amendment which I offered the other day, and about which I then made some remarks. I appreciate that at that time a number of Senators were unwilling to vote for any amendment because they were afraid if any amendment were adopted it would necessitate the sending of the treaty back to conference and involve prolonged delay. I asked those in charge of the treaty, and in particular the Senator from Pennsylvania, the other day, what objection, if any, he had to the amendment. No answer was made to that question. I suppose it was considered that no answer was necessary, and that no amendment should be made to the treaty.

Mr. President, I feel very strongly about this reservation, and I feel very strongly about Article XXI. Article XXI permits any one of the three great naval powers—the United States, Great Britain, or Japan—if they feel they are menaced by any country in any part of the world, to decide that they will build some of any particular category or categories desired, and it gives the other two countries the right to build in the same category.

It has been pointed out by the Senator from Maine that in the testimony before the Senate Naval Affairs Committee the Secretary of the Navy, Hon. Charles Francis Adams, expressed the opinion that in case one of the other contracting parties desired to build a number of 6-inch-gun cruisers the United States could build an equal tonnage in cruisers of 8-inch guns, and would not be obliged to build merely in the 6-inch-gun cruiser class. In this respect his understanding differs from that of other members of the delegation, and I assume from that of the majority of the delegation. The Senator from Pennsylvania explained on the floor the other day that the treaty would not permit the United States to build 8-inch-gun cruisers to meet any tonnage of 6-inch-gun cruisers which might be built by one of the other contracting parties.

It has been repeatedly pointed out in debate during the past few years, when we were trying hard to get through the cruiser program on this floor and to get the appropriations for cruisers, that we were woefully lacking in 8-inch-gun cruisers; that with our long routes across the Pacific and our small number of coaling stations and oil stations we needed 8-inch-gun cruisers in preference to 6-inch-gun cruisers. The treaty itself permits the other countries to build more 6-inch-gun cruisers in proportion to those built by the United States, and permits us to build more 8-inch-gun cruisers in proportion, thereby recognizing the fact that for the national defense we need 8-inch-gun cruisers rather than 6-inch-gun cruisers.

As I pointed out the other day, it is entirely within the possibilities, even though not within the probabilities, that one or the other of the high contracting parties may desire to build a considerable number in addition to the number of 6-inch-gun cruisers now allowed to them by the treaty. If they do that, our only recourse under the interpretation offered by the Senator from Pennsylvania, and I assume by a majority of our delegates, although not the interpretation understood by the Secretary of the Navy, would be to build 6-inch-gun cruisers of a type that we do not want and that will not meet the situation so far as we are concerned.

Mr. President, this morning I happened to receive a letter from the president of the Connecticut Chamber of Commerce which, although not of great importance in itself, was interesting to me because of a sentence in it. The other day there was put in the RECORD by the Vice President, I think, a telegram received by him from the executive committee of the Connecticut Chamber of Commerce urging prompt ratification of the treaty as it was presented to us by the President. I was interested to find out how many of the members of the executive committee of the Connecticut Chamber of Commerce, most of whom I know personally, had read the treaty before urging its prompt ratification by us, so I sent letters to them and have received answers from most of them. As was to be expected—for I believe it to be true of the great majority of the letters and telegrams that have been received by Senators from all over the United States—the great majority of them have not read the treaty but wanted it ratified merely because it had been sent to us by the President.

In the letter from the president of the chamber of commerce, however, was this interesting sentence:

I have reread Article XXI; and it seems to me that the interests of the United States are protected, provided we are able to build in whatever subcategory of the cruisers meets our needs.

In other words, one of the strongest proponents of the treaty in my own State believes that that ought to be the case; and it does seem to me that anyone who is willing to look at the matter with an open mind, and without regard to the necessity of having to jam this treaty through fast, and without making any reservations at all, will admit that for us to be faced with a situation where the other two contracting parties may build 6-inch-gun cruisers in any amount if they see fit, and we may only reply by building 6-inch-gun cruisers which we do not want, is not a situation which protects the national defense of the United States.

I do not see how the other contracting parties can have the slightest objection to this reservation. I can see very well how they might have an objection to an amendment which would necessitate reopening the conference. I can see how they might not want us to build in the 6-inch-cruiser class if they desire to build submarines. It was mentioned the other day, for instance, that Great Britain might want to meet the situation in Europe by building destroyers, and that that would give us the right to build additional destroyers. I do not see why Great Britain should object to our building destroyers if they build destroyers, because that is in the treaty. Similarly, I do not see why they should object to our building cruisers of the kind that we want if they feel the need of building cruisers of the kind that they want.

This reservation does not open the situation to a degree which would permit us to build in a different category. It has been objected that if one of the high contracting parties wanted to build submarines, some other high contracting party, if merely the tonnage were to be met, might want to build 8-inch-gun cruisers. That is an entirely different situation. What I have proposed is merely, if cruisers are to be built by one of the high contracting parties other than the United States, to permit us to build cruisers of a type which meets our needs, instead of being forced to build the type that the other country believe they need to build.

I shall not prolong the discussion. I appreciate the situation; but I ask for the yeas and nays on this matter, which seems to me of the greatest importance.

The VICE PRESIDENT. The question is on the reservation proposed by the Senator from Connecticut [Mr. BINGHAM], on which the yeas and nays are demanded. Is the demand seconded?

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. COPELAND (when his name was called). On this matter I have a pair with the senior Senator from North Carolina [Mr. SIMMONS]. If he were present, he would vote "nay," and if I were at liberty to vote I should vote "yea."

Mr. GOULD (when his name was called). I make the same announcement as before and vote "nay."

Mr. SHIPSTEAD (when his name was called). On this question I am paired with the Senator from Arizona [Mr. HAYDEN]. If he were present, I understand that he would vote "nay," and if I were at liberty to vote I should vote "yea."

The roll call was concluded.

Mr. FESS. I desire to announce the following general pairs:

The Senator from New Jersey [Mr. BAIRD] with the Senator from Louisiana [Mr. BROUSSARD];

The Senator from West Virginia [Mr. GOFF] with the Senator from Alabama [Mr. HEFLIN]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Montana [Mr. WHEELER].

Mr. WATSON. Mr. President, I am paired with the Senator from South Carolina [Mr. SMITH], who is ill. I understand that on this question he would vote, if present, the same way that I shall vote. I therefore feel at liberty to vote and vote "nay."

The result was announced—yeas 10, nays 55, as follows:

YEAS—10			
Bingham	McKellar	Pine	Walsh, Mass.
Hale	Moses	Robinson, Ind.	
Johnson	Oddie	Trammell	
NAYS—55			
Allen	Glenn	La Follette	Shortridge
Black	Goldsborough	McCulloch	Smoot
Borah	Gould	McMaster	Steiwer
Brock	Greene	McNary	Sullivan
Brookhart	Harris	Metcalf	Swanson
Capper	Harrison	Norris	Thomas, Idaho
Couzens	Hastings	Overman	Thomas, Okla.
Dale	Hebert	Patterson	Townsend
Deneen	Hebert	Philips	Vandenberg
Fess	Howell	Reed	Wagner
Fletcher	Jones	Robinson, Ark.	Walcott
George	Keen	Robson, Ky.	Walsh, Mont.
Gillett	Kendrick	Schall	Watson
Glass	Keyes	Sheppard	
NOT VOTING—31			
Ashurst	Connally	Hayden	Simmons
Baird	Copeland	Heftin	Smith
Barkley	Cutting	King	Steck
Blaine	Dill	Norbeck	Stephens
Blens	Frazier	Nye	Tydings
Bratton	Goff	Pittman	Waterman
Broussard	Grundy	Ransdell	Wheeler
Caraway	Hawes	Shipstead	

So Mr. BINGHAM's reservation was rejected.

Mr. MOSES. Mr. President, I offer the reservation which I send to the desk.

The VICE PRESIDENT. The reservation will be read.

The Chief Clerk read as follows:

Resolved, That in ratifying said treaty the United States does so with the distinct understanding that the provisions of Article XVI of said treaty relieve the United States from further observance of the provisions of Article XIX of the treaty of Washington.

Mr. MOSES. Mr. President, the Senate has just dealt with that clause of the treaty which has been known as the escalator or escape clause. I am offering now a reservation which may be called the recapture clause.

It will be remembered that at the conference of Washington the ratio 5-5-3 was bought at a great price paid by the United States; to wit, the agreement not to fortify the strategic possessions which we own in the Pacific Ocean. At the conference of London the ratio was changed from 5-5-3 to 5-5-3½, the Japanese securing an increase in ratio of 16½ per cent. and absolutely no reciprocation was given us by the Japanese.

The reservation which I offer recaptures to us the right which we surrendered at the conference of Washington; and it seems to me that it must appeal to the good sense of the Senate.

The VICE PRESIDENT. The question is on the reservation offered by the Senator from New Hampshire.

The reservation was rejected.

Mr. JOHNSON. Mr. President, I offer the reservation which I send to the desk.

The VICE PRESIDENT. The reservation will be read.

The Chief Clerk read as follows:

Nothing in Article XV shall be construed as an intention upon the part of the United States of America to abandon or depart from its

policy to consider cruisers as consisting of but one category, anything in said treaty to the contrary notwithstanding. During the life of said treaty, within the cruiser tonnage allotted, the United States may build or construct its cruisers in either or both categories described in Article XV as it sees fit.

Mr. JOHNSON. Mr. President, I am very certain, because this reservation protects the United States of America, that it will commend itself to all of the Senators who listen to me now.

This is the other side of the cruiser question, one part of which I presented to you just a brief period ago. I demonstrated to you, and nobody denied it, and nobody can deny it, that instead of getting 18 cruisers up to 1935 we have 15 cruisers up to 1935, and instead of having 18 cruisers during the life of the treaty we have 16 cruisers during the life of the treaty. That is past, however. You followed me in that; and I think the reservation that I presented in that regard commended itself to this side of the Chamber and was overwhelmingly adopted because it was just to the United States of America.

This is the other side of the cruiser question. It relates to the matter of categories.

Here is the proposition: Great Britain says: "We want cruisers of a certain amount, 339,000 tons." We say in response to them: "All right; righto, English cousin; take your 339,000 tons. We agree." Then we say: "Go ahead; build up your 339,000 tons exactly as you see fit, and we will build up our 339,000 tons exactly as we see fit." A pretty square proposition; is it not? Would you not think that ordinarily it ought to be accepted? But Britain says: "No; no! We will fix the amount of tonnage that you shall have, first, and then we will fix the kind of cruiser that you shall build, secondly." We say: "Why, why should you do that? We want one kind of cruiser, because we are without naval bases and because we have a commerce that requires protection by a cruiser with a large sailing radius."

We insist to Great Britain that we shall build as we see fit. But Great Britain says, "No; you can not." And, strange as it may seem, we can not. The reservation is to permit us to maintain our age-old theory of no categories, and maintain that theory of no categories, building exactly as we want within the amount that is permitted, and let Great Britain build exactly as she wants within the amount allowed her. If there could be anything fairer than that kind of an arrangement, I am unable to see it. Upon what theory are Senators sitting here to-day saying that we shall abandon our old idea concerning no categories and that we shall build exactly as Britain insists we build?

That is the reservation. I ask for the yeas and nays on it.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. COPELAND (when his name was called). Making the same announcement regarding my pair with the senior Senator from North Carolina [Mr. SIMMONS] that I made before, I withhold my vote. If permitted to vote, I would vote "yea."

Mr. SHIPSTEAD (when his name was called). I have a pair with the junior Senator from Arizona [Mr. HAYDEN], who, I understand, if present, would vote "nay." If I were permitted to vote, I would vote "yea."

The roll call was concluded.

Mr. FESS. I desire to announce the following general pairs: The Senator from New Jersey [Mr. BAIRD] with the Senator from Louisiana [Mr. BROUSSARD];

The Senator from West Virginia [Mr. GOFF] with the Senator from Alabama [Mr. HEFLIN]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Montana [Mr. WHEELER].

Mr. GOULD (after having voted in the negative). I have a general pair with the junior Senator from South Carolina [Mr. BLEASE], which I transfer to the junior Senator from Pennsylvania [Mr. GRUNDY], and allow my vote to stand.

The result was announced—yeas, 8, nays 57, as follows:

YEAS—8			
Bingham	Johnson	Moses	Pine
Hale	McKellar	Oddie	Robinson, Ind.
NAYS—57			
Allen	George	Hebert	Metcalf
Black	Gillett	Howell	Norris
Borah	Glenn	Jones	Overman
Brock	Glenn	Kean	Patterson
Brookhart	Goldsborough	Kendrick	Phipps
Capper	Gould	Keyes	Reed
Couzens	Greene	Kling	Robinson, Ark.
Dale	Harris	La Follette	Robison, Ky.
Deneen	Harrison	McCulloch	Schall
Fess	Hastings	McMaster	Sheppard
Fletcher	Hatfield	McNary	Shortridge

Smoot
Stetler
Sullivan
Swanson

Thomas, Idaho
Thomas, Okla.
Townsend
Trammell

Vandenberg
Wagner
Walcott
Walsh, Mont.

Watson

NOT VOTING—31

Ashurst
Baird
Barkley
Blaine
Blease
Bratton
Broussard
Caraway

Connally
Copeland
Cutting
Dill
Frazier
Goff
Grundy
Hawes

Hayden
Heffin
Norbeck
Nye
Pittman
Ransdell
Shipstead
Simmons

Smith
Steck
Stephens
Tydings
Walsh, Mass.
Waterman
Wheeler

So Mr. JOHNSON's reservation was rejected.

Mr. JOHNSON. Mr. President, I present the following reservation. I shall not ask for a yeas-and-nays vote upon it. I simply ask for a viva voce vote.

The VICE PRESIDENT. The reservation will be read.

The Chief Clerk read as follows:

Nothing contained in this treaty shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state; nor shall anything contained in the said treaty be construed to imply the relinquishment by the United States of America of its traditional attitude toward purely American questions.

The VICE PRESIDENT. The question is on agreeing to the reservation.

The reservation was rejected.

Mr. JOHNSON. I offer the following reservation, and on this I shall ask for the yeas and nays.

The VICE PRESIDENT. The Secretary will report the reservation.

The Chief Clerk read as follows:

That this treaty shall be null and void if and when the United States enters the League of Nations by the ratification of its covenant or allies itself with the League of Nations by adhering to the protocol of the International Court of Justice of the League of Nations, or in any other way accepts membership in the League of Nations or any of its subsidiary organizations.

The VICE PRESIDENT. On this reservation the Senator from California asks for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. COPELAND (when his name was called). Making the same announcement as to my pair as before, I withhold my vote. If free to vote, I would vote "yea."

Mr. GOULD (when his name was called). I transfer my pair with the junior Senator from South Carolina [Mr. BLEASE] to the junior Senator from Pennsylvania [Mr. GRUNDY] and vote "nay."

The roll call was concluded.

Mr. SHIPSTEAD. I have a general pair with the junior Senator from Arizona [Mr. HAYDEN]. If he were present, he would vote "nay." If I were permitted to vote, I would vote "yea."

Mr. FESS. I desire to announce the following general pairs: The Senator from New Jersey [Mr. BAIRD] with the Senator from Louisiana [Mr. BROUSSARD];

The Senator from West Virginia [Mr. GOFF] with the Senator from Alabama [Mr. HEFLIN]; and

The Senator from Colorado [Mr. WATERMAN] with the Senator from Montana [Mr. WHEELER].

The result was announced—yeas 8, nays 58, as follows:

YEAS—8			
Bingham	Johnson	Moses	Robinson, Ind.
Hale	McKellar	Oddie	Walsh, Mass.
NAYS—58			
Allen	Goldsborough	McCulloch	Smoot
Black	Gould	McMaster	Stetler
Borah	Greene	McNary	Sullivan
Brock	Harris	Metcalf	Swanson
Brookhart	Harrison	Norris	Thomas, Idaho
Capper	Hastings	Overman	Thomas, Okla.
Caraway	Hatfield	Patterson	Townsend
Couzens	Hebert	Phipps	Trammell
Deneen	Howell	Pine	Vandenberg
Fess	Jones	Reed	Wagner
Fletcher	Kean	Robinson, Ark.	Walcott
George	Kendrick	Robison, Ky.	Walsh, Mont.
Gillett	Keyes	Schall	Watson
Glenn	King	Sheppard	
	La Follette	Shortridge	

NOT VOTING—30

Ashurst
Baird
Barkley
Blaine
Blease
Bratton
Broussard
Connally

Copeland
Cutting
Dale
Dill
Frazier
Goff
Grundy
Hawes

Hayden
Heffin
Norbeck
Nye
Pittman
Ransdell
Shipstead
Simmons

Smith
Steck
Stephens
Tydings
Waterman
Wheeler

So Mr. JOHNSON's reservation was rejected.

Mr. JOHNSON. Mr. President, I offer the following reservation.

The VICE PRESIDENT. The clerk will report the reservation.

The Chief Clerk read as follows:

The United States understands that the combined total tonnage of naval auxiliary combatant vessels, to be used as a basis for effecting limitation at any international conference held within the life of this treaty, shall not be then counted as proportionately lower than the combined aggregate tonnages of these classes in existence on January 1, 1930, computed on the basis of the combined aggregate tonnage of cruisers, destroyers, and submarines built and building, irrespective of their age.

The VICE PRESIDENT. The question is on agreeing to the reservation.

The reservation was rejected.

Mr. HALE. Mr. President, I offer the reservation which I send to the desk.

The VICE PRESIDENT. The clerk will state the reservation. The Chief Clerk read as follows:

In ratifying this treaty the United States does so with the distinct understanding that the United States considers that the division of the cruiser category into subcategories (a) and (b), as contained in Article XV, for the purposes of effecting limitation in the cruiser category, is a temporary expedient for the purpose of this treaty only, and that the United States maintains as unaltered the principle that limitation of naval armaments shall be effected by the method of total tonnage in each category of vessels with the right of each nation to distribute such total tonnage within the category in types of units as the individual nation may deem desirable, subject only to limitation as to maximum unit size and maximum caliber of gun carried, as may be agreed upon.

Mr. HALE. Mr. President, the reservation which I have offered has to do with the question of the division of the cruiser category into subcategories. This is a question which has been discussed on the floor of the Senate at length during the course of the debate on the treaty, and I do not think I need go into the matter now.

In view of the fact that the reservation does not affect the terms of the agreement but simply would put us in a position which might be of advantage to us at some future conference, I would like to ask the Senator from Idaho [Mr. BORAH], who has charge of the treaty, or the Senator from Pennsylvania [Mr. REED] whether they would consider accepting the reservation. I take it they would not, but I would like to have them so inform us.

Mr. REED. Mr. President, it is self-evident that all countries will be as free as air in the next conference. This treaty binds us only to 1936. The Senator can then adopt the French local theory of an aggregate tonnage within which one may do as he pleases, or he may not, just as he pleases. There is nothing in the treaty which binds us as to our attitude at a time to come. For that reason I do not think the reservation is helpful.

Mr. HALE. Very well. Then the Senator would hold that under Article III, the last paragraph of section 2 of which reads—

It being understood that none of the provisions of the present treaty shall prejudice the attitude of any of the high contracting parties at the conference agreed to—

there is no moral obligation or obligation of any kind upon us in the conference of 1935 not to insist upon the American principle that categories shall not be divided?

Mr. REED. Not in the slightest. Each country is free to advance any theory that it wishes.

Mr. HALE. I also introduced and had printed a reservation referring to the ratio with Japan. I would like to ask the Senator from Pennsylvania whether the same statement that he has just made would apply to any ratio that we may wish to establish with Japan in the 1935 conference.

Mr. REED. The same thing is true as to ratio. Japan is free to claim any ratio she wishes to claim. We are free to claim anything we wish to claim.

Mr. HALE. There is nothing of any kind that would in any way bind us to give up our point of view?

Mr. REED. There is nothing in the treaty or outside of the treaty that would in any way bind us in that respect.

Mr. HALE. Under the circumstances, I will withdraw this reservation and the other one in regard to the Japanese ratio.

The VICE PRESIDENT. The Senator from Maine withdraws his reservation. The question is on agreeing to the resolution to advise and consent to the ratification of the treaty.

Mr. JOHNSON. Mr. President, the last chapter has been written. We are now about to vote the ratification of the treaty. I can not permit it to be ratified, however, without say-

ing a word concerning those few individuals who have stood by my side in the last few weeks in an endeavor to prevent its ratification.

It has been by no means a useless contest. Out of it only good can come. From it a very small minority of the American people have been taught what this instrument is and what it means in the future of the American Republic. If only that has been accomplished, the contest has not been in vain.

But beyond that, Mr. President, we have accomplished something, too. We have prepared perhaps for another conference in 1935, and perhaps we have been able in the preparation to prevent some of the mistakes which have been made in the present one. It is not uncomplimentary to any of the individuals who were a part of the London conference to say that they erred or to disagree with them. It by no means writes them otherwise than as we would desire to believe them all, to claim that they were in error and that they did not accomplish the results for their country that ought to have been accomplished. That sort of thing we saw in 1922. Four of the greatest men, as we assumed, that lived in this Nation, Elihu Root, Charles Evans Hughes, Henry Cabot Lodge, and Oscar Underwood, four men in whom we had, at least in their ability and in their vision and in their statesmanship, the highest confidence, represented us in 1922 and wrote the treaty of disarmament which in 1922 was given to us.

I have said before upon this floor and I say again there are none so poor to-day to do reverence to that document of 1922. It is conceded now, practically, that Messrs. Hughes and Root were outwitted by Mr. Balfour, and that being a conceded fact, practically, in relation to the 1922 conference, why should we accept without question or demur everything that might have been done at the London conference in 1930?

After all, men will disagree as long as men exist. The very fact that there are disagreements upon questions such as this is a very healthy thing for the Republic. If all of us were of like mind as we were in 1922 we never would be able to point the way in the years to come, and the same blunders that we saw in 1922 would be repeated in 1935 and in every subsequent conference that may be held.

So it is a good thing that there has been criticism of this treaty. It is a fine thing, too, a fine thing from my standpoint, that I have been able here to express my views upon this treaty with freedom and in such fashion as I desire to express them, and to have with me in the expression of those views a very small number of men in this Chamber who, undeterred by obstacles, heeding no contingency or consequence, constituted a little band of men who were willing to take their political lives in their hands, and stand here presenting their case as best they could in regard to this London treaty. They have done it and I am very glad that I have been a part of it and that I have done it.

It is a very sacred cause for which we fought. It is a very sacred cause which, with the passing of the years, becomes to a man like me more and more sacred. It is a very sacred cause, because it means not alone to-day's prosperity and to-day's protection and safety, but it means that those who follow us in this peculiar world of ours will have the safety which they are entitled to have at our hands and the protection which it is our duty to render to them.

It has been a very sacred cause, and in bidding good bye to it to-night I am bidding good bye to it with my head in the air. Thank God, it has not been bowed during this contest to any power on this earth. There has not been in the struggle enough of influence or enough of weight or enough of political pressure or enough power to make me swerve a single iota from the line that was marked out in the beginning of this fight. Those men who have fought with me have fought in like fashion. God bless them all. They have fought the good fight for the good cause. In leaving this cause to-night I sing to them the song that Gelett Burgess sang long ago for the cause:

Here's to the cause, and the blood that feeds it!

Here's to the cause, and the soul that speeds it!

Coward or hero, or bigot or sage,

All shall take part in the war that we wage;

And though 'neath our banners range contrary manners, shall we pick, shall we choose 'twixt the false and the true?

Not for us to deny them, let the cause take and try them—the one man for us is the man who can do!

Here's to the cause, let who will get the glory!

Here's to the cause, and a fig for the story!

The braggarts may tell it who serve but for fame;

There'll be more than enough that will die for the name!

And though in some eddy our vessels unsteady be stranded and wrecked ere the victory's won,

Let the current sweep by us. O death, come and try us! What if laggards win praise if the cause shall go on?

Here's to the cause, and the years that have passed!
Here's to the cause—it will triumph at last!

The end shall illumine the hearts that have braved

All the years and the fears that the cause might be saved,
And though what we hoped for and darkly have groped for, come not
in the manner we prayed that it should,
We shall gladly confess it, and the cause, may God bless it, shall find
us all worthy who did what we could!

The cause—the United States of America!

Mr. WALSH of Massachusetts. Mr. President, I have always been willing, in the interest of world peace and from the outset of the discussion relating to the ratification of the treaty, to wave aside and minimize the argument of inferiority that has been raised upon this floor by most of the Senators who are opposed to the treaty. I have not considered that issue of vital and controlling consequence. I have, however, seriously considered and have been duly impressed by the fact that the treaty puts a limit upon the nations of the world in competitive naval building. The declaration of a virtual naval holiday for Great Britain and Japan for six years I have regarded as of importance, and I have been inclined to support the treaty because of that contribution toward the possible future reduction of naval expenditures.

But because the treaty removes freedom of action in the future upon the part of the American Government in determining the extent and scope, the kind and type of navy we shall have, I have also felt it of supreme importance that before the treaty was ratified we ought to have a statement from the Executive of the country and from the Senate itself, who are about to take away freedom of action in naval construction from the American people, that we do not intend thereby to maintain an inferior navy or be content with a mere paper parity.

We who have served in this Chamber for a period of years realize the methods that can be resorted to to prevent the appropriation of money for naval craft. We know the elasticity of the rules that permit filibuster. We also know that not a single step has been taken in naval building since the Washington conference except the program sponsored by President Coolidge after his efforts at Geneva had failed. In my judgment there never will be any appreciable addition to the United States Navy other than what we have to-day unless the Executive and the Senate vigorously, earnestly, and zealously advocate the appropriation of the necessary amount of money for that purpose. I believe time will justify the statement I am making that we will never have an actual naval parity, that we are now signing and setting up merely a paper parity, that forces in this country are powerful enough to prevent the Executive, whatever his personal disposition may be, from taking the leadership in building up to actual parity.

Mr. President, in conclusion let me summarize the whole issue here as I see it. The chief arguments for the treaty are ultimate parity if we build the ships provided for in this treaty, and temporary acceptance of the principles of naval limitation by treaty as applied to all types of ships.

Immediate parity for the United States is not provided for in this treaty.

I desire to record my vote for something more than the right to parity. In view of what we surrender, the United States can not possess adequate defense under this treaty unless it builds the ships allotted to us. We should make certain that we intend to build them before we ratify this treaty.

I can not overlook the fact that navies are associated with and are part of a nation's foreign policy. Navies are maintained by nations not merely for war purposes but in times of peace to uphold a nation's foreign policy.

The three cardinal principles of our American foreign policy are (1) the rights of neutrals, (2) the Monroe doctrine, and (3) the "open door."

How are we to uphold these foreign policies without an adequate navy? Mr. President, now that we have legalized the strength of the navies of other great powers, it is more important than ever to maintain that naval strength which this treaty asserts we need. It is folly to think we can maintain an influence for peace and protect the rights of smaller and neutral peoples without a navy of the size herein agreed to.

I do not intend to place my country in the position before the world of being more interested in avoiding expenditures than in our national defense—for I am convinced we will make little progress in inducing other nations to reduce their navies in accordance with our wishes by such a course. To my mind it will be both humiliating and disadvantageous for us internationally, if, after having demanded equality with Great Britain and superiority over Japan, we show by failure to build what the treaty permits to us that we really meant nothing

by our talk and were in fact quite content to accept a position of inferiority to each of these nations.

Ordinarily a reservation such as I proposed, and which was rejected, covering the ratification of a treaty, namely, that this country intends to exercise the rights assured to it thereunder, might be considered superfluous. I admit that to be true under ordinary circumstances, but I know of no other way in view of the opposition to expending additional money for our Navy, and the fact that the other signatories to the treaty have the actual parity given them in this treaty, of assuring the American people that they are to have actual parity and not a mere right to parity. I want them to have assurance of naval equality on the ocean and not alone on a paper treaty.

Just as soon as this treaty is ratified many who favor the treaty and many economists will start propaganda to the effect that there is no need to build more ships. We shall be told that they are not necessary. Indeed, Senators who sincerely believe we should not build the ships the treaty provides for have been the only outspoken opponents of my proposal for a public expression by the Senate.

This treaty, to my mind, makes for either equality or inferiority on the sea. Because I am convinced the latter will result, I must, in the absence of assurance of actual equality, vote against a mere paper equality. The right to parity means nothing unless the United States builds its ships. The very name of the treaty, the agitation in behalf of it, has given the impression to our people that naval armaments are reduced in this treaty and that the treaty insures peace. This very viewpoint is likely to lead to the United States building no ships and leaving us in a worse position than ever.

Therefore, because I believe world naval disarmament will only come in 1936 by America having an actual naval parity, and because I do not want to confess having a share and a part either directly or indirectly in providing an inadequate and inferior Navy for the United States of America, I must vote against the treaty.

The VICE PRESIDENT. The question is on the adoption of the resolution of advice and consent to the ratification of the treaty.

Mr. REED. I demand the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. LA FOLLETTE (when Mr. BLAINE's name was called). Making the same announcement as before concerning the absence of my colleague [Mr. BLAINE], I desire to announce that he is paired on this question with the Senator from New York [Mr. COPELAND], and if present he would vote "yea."

Mr. COPELAND (when his name was called). On this matter I am paired with the senior Senator from North Carolina [Mr. SIMMONS] and the junior Senator from Wisconsin [Mr. BLAINE]. If they were here and could vote, both would vote "yea," and if I were permitted to vote I should vote "nay."

Mr. LA FOLLETTE (when Mr. CUTTING's name was called). I have been requested to announce that the Senator from New Mexico [Mr. CUTTING], if present, would vote "yea."

Mr. LA FOLLETTE (when Mr. FRAZIER's name was called). I have been requested to announce that the senior Senator from North Dakota [Mr. FRAZIER], if present, would vote "yea."

Mr. HATFIELD (when Mr. GORF's name was called). My colleague the senior Senator from West Virginia [Mr. GORF] is absent on account of illness. If present, he would vote "yea."

Mr. GOULD (when his name was called). I desire to announce that I have a general pair with the Senator from South Carolina [Mr. BLEASE], who is detained at home by serious illness in his family. I transfer that pair to the Senator from Pennsylvania [Mr. GRUNDY] and vote "yea."

Mr. JOHNSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON. I ask can there be a transfer on a treaty vote to an individual Senator?

The VICE PRESIDENT. A Senator voting for the treaty would have the right to do that if he so desired. Senators voting on the other side would be entitled to two pairs if they so requested. Such a transfer may be made.

Mr. JOHNSON. Of course it will make no difference in the ultimate result, but it struck me when the Senator from Maine [Mr. GOULD] transferred his pair to an individual Senator, and voted, that it was not appropriate, and therefore I challenge the vote.

The VICE PRESIDENT. The Secretary will resume the call of the roll.

The calling of the roll was resumed.

Mr. REED (when Mr. GRUNDY's name was called). I have been requested to announce that the junior Senator from Pennsylvania [Mr. GRUNDY], if present, would vote "yea."

Mr. KEAN (when his name was called). I vote "yea." While on my feet I desire to state that the junior Senator from

New Jersey [Mr. BAIRD] has just arrived from Europe, and is on his way here. If he were present, he would vote "yea."

Mr. LA FOLLETTE (when Mr. NYE's name was called). I desire to announce that the junior Senator from North Dakota [Mr. NYE] is absent on official business of the Senate, attending the sessions of the special committee to investigate campaign expenditures. If present, he would vote "yea."

Mr. SHIPSTEAD (when his name was called). On this question I have a pair with the Senator from Montana [Mr. WHEELER] and the Senator from Arizona [Mr. HAYDEN]. If present, those Senators would vote "yea," and if I were permitted to vote I should vote "nay."

Mr. WATSON (when his name was called.) I have a general pair with the Senator from South Carolina [Mr. SMITH], who is absent because of illness. I have a telegram from him in which he states that, if present, he would vote for the ratification of the treaty. I am therefore released from the pair, and will vote. I vote "yea."

The roll call was concluded.

Mr. SHEPPARD. I desire to announce that the junior Senator from Texas [Mr. CONNALLY] and the Senator from Kentucky [Mr. BARKLEY], both of whom are absent in attendance on the sessions of the Interparliamentary Union in London, and the Senator from Iowa [Mr. STECK], the Senator from South Carolina [Mr. SMITH], and the Senator from Louisiana [Mr. RANDELL], who are unavoidably detained in their respective States, if present, would vote "yea."

I wish also to announce that the Senator from Arizona [Mr. ASHBURST] and the Senator from Maryland [Mr. TYDINGS], who are also unavoidably absent in attendance on the sessions of the Interparliamentary Union in London, are paired with the Senator from Louisiana [Mr. BROUSSARD], the Senator from Louisiana being against the treaty and the Senators from Arizona and Maryland being for it.

I wish further to announce that the Senator from New Mexico [Mr. BRATTON], who is detained by illness in his family, and the Senator from Washington [Mr. DILL], who is unavoidably absent, are paired with the Senator from Colorado [Mr. WATERMAN], the Senator from Colorado being against the treaty and the Senator from New Mexico and the Senator from Washington being for it.

I desire also to announce that the Senator from Mississippi [Mr. STEPHENS], who is unavoidably absent, and the Senator from Missouri [Mr. HAWES], who is absent on account of illness, are paired with the Senator from Nevada [Mr. PITTMAN], the Senator from Nevada being against the treaty and the Senators from Mississippi and Missouri being for the treaty.

I wish further to announce that the senior Senator from Alabama [Mr. HEFLIN] is unavoidably detained in his State.

Mr. BORAH. The Senator from South Dakota [Mr. NORBECK] is necessarily absent on official business of the Government.

Mr. WALSH of Montana. My colleague [Mr. WHEELER] is unavoidably absent. As heretofore announced, he is paired for the treaty.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is unavoidably detained. If he were present, he would vote in favor of the ratification of the treaty.

The roll call resulted—yeas 58, nays 9, as follows:

YEAS—58

Allen	Glenn	La Follette	Smoot
Black	Goldsbrough	McCulloch	Steiwer
Borah	Gould	McMaster	Sullivan
Brock	Greene	McNary	Swanson
Brookhart	Harris	Metcalf	Thomas, Idaho
Capper	Harrison	Norris	Thomas, Okla.
Caraway	Hastings	Overman	Townsend
Couzens	Hatfield	Patterson	Trammell
Dale	Hebert	Phipps	Vandenberg
Deneen	Howell	Reed	Wagner
Fess	Jones	Robinson, Ark.	Walcott
Fletcher	Kean	Robison, Ky.	Walsh, Mont.
George	Kendrick	Schall	Watson
Gillett	Keyes	Sheppard	
Glass	King	Shortridge	

NAYS—9

Bingham	McKellar	Oddie	Robinson, Ind.
Hale	Moses	Pine	Walsh, Mass.
Johnson			

NOT VOTING—29

Ashurst	Copeland	Hefflin	Steck
Baird	Cutting	Norbeck	Stephens
Barkley	Dill	Nye	Tydings
Blaine	Frazier	Pittman	Waterman
Blease	Goff	Ransdell	Wheeler
Bratton	Grundy	Shipstead	
Broussard	Hawes	Simmons	
Connally	Hayden	Smith	

The VICE PRESIDENT. On this question the yeas are 58, the nays are 9. More than two-thirds of the Senators present having voted in the affirmative, the Senate advises and consents to the ratification of the treaty with the reservation made to the resolution of ratification.

The resolution of ratification is as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive 1, Seventy-first Congress, second session, a treaty for the limitation and reduction of naval armament, signed at London on April 22, 1930.

Resolved further, That in ratifying said treaty the Senate does so with the distinct and explicit understanding that there are no secret files, documents, letters, understandings, or agreements which in any way, directly or indirectly, modify, change, add to, or take away from any of the stipulations, agreements, or statements in said treaty; and that the Senate ratifies said treaty with the distinct and explicit understanding that, excepting the agreement brought about through the exchange of notes between the Governments of the United States, Great Britain, and Japan having reference to Article XIX, there is no agreement, secret or otherwise, expressed or implied, between any of the parties to said treaty as to any construction that shall hereafter be given to any statement or provision contained therein.

Mr. BORAH. Mr. President, I ask unanimous consent to have printed in the RECORD a list of treaties which have been reported from the Committee on Foreign Relations and acted upon by the Senate since December 1, 1924.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Treaties acted upon by the Senate since December 1, 1924

Date of reference to committee	Subject	Action in committee	Action in Senate
Dec. 11, 1923	Treaty of friendship, commerce and consular rights with Germany, signed at Washington, Dec. 8, 1923.	Feb. 3, 1925, reported.....	Feb. 10, 1925, ratified.
Jan. 31, 1924	Convention with American States to provide for the protection of trade-marks and commercial names, signed at Santiago, Apr. 28, 1923.	Feb. 24, 1925, reported.....	Feb. 24, 1925, ratified.
May 3, 1924	Treaty establishing general relations with Turkey, signed at Lausanne, Aug. 6, 1923.	Feb. 21, 1925, reported.....	Mar. 24, 1925, made public; Jan. 18, 1927, rejected.
Do.....	Extradition treaty with Turkey, signed at Lausanne, Aug. 6, 1923.	do.....	do.....
June 6, 1924	Convention with Great Britain with respect to Canada to aid in suppressing smuggling along the boundary between the United States and Canada, signed at Washington June 6, 1924.	Dec. 11, 1924, reported.....	Dec. 12, 1924, ratified.
Do.....	Convention with Panama to aid in the prevention of liquor smuggling, signed at Washington June 6, 1924.	do.....	Do.
Dec. 8, 1924	Convention with France to prevent liquor smuggling, signed at Washington June 30, 1924.	do.....	Do.
Do.....	Extradition treaty with Rumania, signed at Bucharest July 23, 1924.	Feb. 9, 1925, reported.....	Feb. 10, 1925, ratified.
Do.....	Arbitration convention with Sweden, signed at Washington June 24, 1924.	Jan. 8, 1925, reported.....	Jan. 10, 1925, ratified.
Do.....	Convention with the Netherlands to aid in preventing smuggling, signed at Washington June 21, 1924.	Dec. 11, 1924, reported.....	Dec. 12, 1924, ratified.
Dec. 13, 1924	Convention with Guatemala and other countries for the establishment of an international commission of inquiry, signed at Washington, Feb. 7, 1923.	Jan. 26, 1925, reported.....	Jan. 28, 1925, ratified.
Dec. 18, 1924	Convention of ratification with the Dominican Republic, signed at Santo Domingo, June 12, 1922.	Jan. 14, 1925, reported.....	Jan. 21, 1925, ratified.
Dec. 22, 1924	Convention with Great Britain concerning rights in Palestine, signed at London, Dec. 3, 1924.	Feb. 19, 1925, reported.....	Feb. 20, 1925, ratified.
Jan. 2, 1925	Convention with the Dominican Republic to replace the convention of Feb. 8, 1907, between the two governments, signed at Washington, Dec. 27, 1924.	Jan. 14, 1925, reported.....	Jan. 21, 1925, ratified.
Jan. 10, 1925	Convention with Great Britain providing for extradition on account of violation of narcotics laws, signed at Washington, Jan. 27, 1925.	Jan. 26, 1925, reported.....	Jan. 27, 1925, ratified.
Jan. 26, 1925	Treaty with the Netherlands regarding the Island of Palmas, signed at Washington, Jan. 23, 1925.	Feb. 9, 1925, reported.....	Feb. 10, 1925, ratified.
Feb. 3, 1925	Extradition treaty with Finland, signed at Helsinki, Aug. 1, 1924.	Feb. 11, 1925, reported.....	Feb. 18, 1925, ratified.
Feb. 7, 1925	Sanitary convention between the United States and other American Republics, signed at Habana, Nov. 14, 1924.	Feb. 20, 1925, reported.....	Feb. 23, 1925, ratified.

Treaties acted upon by the Senate since December 1, 1924—Continued

Date of reference to committee	Subject	Action in committee	Action in Senate
Feb. 27, 1925	Treaty with Great Britain defining the boundaries between the United States and Canada, signed at Washington, Feb. 24, 1925.	Mar. 12, 1925, reported.	Mar. 12, 1925, ratified.
Do.	Treaty with Great Britain concerning regulation of level of Lake of the Woods, signed at Washington, Feb. 24, 1925.	do.	Mar. 14, 1925, ratified.
Mar. 3, 1925	Treaty with Great Britain regarding rights in the Cameroons, signed at London Feb. 10, 1925.	Mar. 10, 1926, reported.	Mar. 17, 1926, ratified.
Do.	Treaty with Great Britain regarding rights in East Africa, signed at London Feb. 10, 1925.	do.	Do.
Do.	Treaty with Great Britain in regard to rights in Togoland, signed at London Feb. 10, 1925.	do.	Do.
Dec. 16, 1925	Treaty of friendship, commerce, and consular rights with Hungary, signed at Washington June 24, 1925.	Mar. 17, 1926, reported.	Do.
Dec. 17, 1925	Treaty with Belgium to prevent the smuggling of liquor, signed at Washington, Dec. 9, 1925.	Feb. 17, 1926, reported.	Mar. 3, 1926, ratified.
Do.	Extradition treaty with Czechoslovakia, signed at Prague, July 2, 1925.	Jan. 29, 1926, reported.	Do.
Jan. 6, 1926	Treaty with Mexico to prevent smuggling, signed at Washington, Dec. 23, 1925.	Feb. 27, 1926, reported.	Do.
Do.	Extradition treaty with Mexico, signed at Washington, Dec. 23, 1925.	Jan. 30, 1926, reported.	June 21, 1926, ratified.
Do.	Treaty of friendship, commerce, and consular rights with Estonia, signed at Washington, Dec. 23, 1925.	Mar. 17, 1926, reported.	Mar. 25, 1926, ratified.
Jan. 12, 1926	Protocol for the prohibition in war of poisonous gases, signed at Geneva, June 17, 1925.	June 26, 1926, hearings; reported.	Dec. 9, 1926, made public; Dec. 13, 1926, referred back to committee.
Do.	A convention for the supervision of the international trade in arms and ammunition signed at Geneva, June 17, 1925.	Apr. 28, 1926, hearings.	Do.
Jan. 14, 1926	Supplementary extradition treaty with Cuba, signed at Habana, Jan. 14, 1926.	Feb. 17, 1926, reported.	Mar. 3, 1926, ratified.
Feb. 15, 1926	Treaty with Spain to prevent the smuggling of liquor, signed at Washington, Feb. 10, 1926.	do.	Do.
Mar. 15, 1926	Treaty with Cuba for the prevention of smuggling liquor into the United States, signed at Habana, Mar. 4, 1926.	Mar. 17, 1926, reported.	Apr. 9, 1926, ratified.
Mar. 23, 1926	Treaty with Cuba for the suppression of smuggling, signed at Habana, Mar. 11, 1926.	Apr. 14, 1926, reported.	Apr. 16, 1926, ratified.
Apr. 1, 1926	Treaty of friendship, commerce, and consular rights with Salvador, signed at San Salvador, Feb. 22, 1926.	May 26, 1926, reported.	May 28, 1926, ratified.
May 4, 1926	Consular convention with Cuba, signed at Habana, Apr. 22, 1926.	June 30, 1926, reported.	June 30, 1926, ratified.
June 24, 1926	An arbitration convention with Liberia, signed at Monrovia, Feb. 10, 1926.	do.	Do.
Dec. 9, 1926	Claims convention with Panama, signed at Washington, July 28, 1926.	Jan. 24, 1929, reported.	Jan. 26, 1929, ratified.
Feb. 24, 1927	Revision of international sanitary convention of Jan. 17, 1912, signed at Paris, June 21, 1926.	Mar. 21, 1928, hearings; reported with reservations.	Mar. 22, 1928, ratified.
Dec. 8, 1927	Supplementary extradition convention with Honduras, signed at Tegucigalpa, Feb. 21, 1927.	Mar. 14, 1928, reported.	Mar. 14, 1928, ratified.
Dec. 12, 1927	International radio convention, signed at Washington, Nov. 25, 1927.	Mar. 14, 1928, hearings; reported.	Dec. 17, 1927, made public; Mar. 21, 1928, ratified.
Jan. 5, 1928	Friendship, commerce, and consular rights with Honduras, signed at Tegucigalpa, Dec. 7, 1927.	May 23, 1928, reported.	May 25, 1928, ratified.
Feb. 6, 1928	Arbitration treaty between the United States and France, signed at Washington, Feb. 6, 1928.	Feb. 29, 1928, reported.	Feb. 8, 1928, made public; Mar. 6, 1928, ratified.
Feb. 16, 1928	Additional protocol to Pan American sanitary convention, signed at Habana, Nov. 14, 1927.	Feb. 23, 1928, reported.	Feb. 24, 1928, ratified.
Do.	Protocol to treaty with the Netherlands for the advancement of general peace, signed at Washington, Feb. 13, 1928.	do.	Do.
Do.	Extradition treaty with Poland, signed at Warsaw, Nov. 22, 1927.	do.	Do.
Mar. 19, 1928	Convention with Mexico safeguarding livestock interests, signed at Washington, Mar. 16, 1928.	Mar. 28, 1928, reported.	Mar. 28, 1928, ratified.
Apr. 30, 1928	Convention with Greece for the prevention of smuggling of liquor, signed at Washington, Apr. 25, 1928.	May 23, 1928, reported.	May 26, 1928, ratified.
May 2, 1928	Arbitration with Italy, signed at Washington, Apr. 18, 1928.	May 9, 1928, reported.	May 10, 1928, ratified.
May 7, 1928	Arbitration with Germany, signed at Washington, May 5, 1928.	do.	Do.
Do.	Conciliation with Germany, signed at Washington, May 5, 1928.	May 8, 1928, reported.	Do.
May 16, 1928	Friendship, commerce, and consular rights with Latvia, signed at Riga, Apr. 20, 1928.	May 23, 1928, reported.	May 25, 1928, ratified.
May 24, 1928	Slavery convention signed at Geneva, Sept. 25, 1926.	Feb. 23, 1929, reported.	Feb. 25, 1929, ratified.
May 22, 1928	Convention revision of the General Act of Berlin of Feb. 26, 1885, and General Act and Declaration Brussels of July 2, 1890.	Apr. 2, 1930, reported.	Apr. 3, 1930, ratified.
Do.	Liquor traffic in Africa, signed at St. Germain-en-Laye, Sept. 10, 1919.	Feb. 27, 1929, reported.	Feb. 28, 1929, ratified.
Dec. 5, 1928	Multilateral treaty for the renunciation of war, signed at Paris, Aug. 27, 1928.	Dec. 11, 1928, hearings; Dec. 19, 1928, reported.	Jan. 15, 1929, ratified.
Dec. 8, 1928	Conciliation with Albania, signed at Washington, Oct. 22, 1928.	Dec. 19, 1928, reported.	Dec. 20, 1928, ratified.
Do.	Friendship, commerce, and consular rights with Austria, signed at Vienna, June 19, 1928.	Feb. 7, 1929, reported.	Feb. 11, 1929, ratified.
Do.	Naturalization treaty with Czechoslovakia, signed at Prague, July 16, 1928.	Jan. 24, 1929, reported.	Jan. 26, 1929, ratified.
Do.	Tariff relations with China, signed at Peking, July 25, 1928.	Feb. 7, 1929, reported.	Feb. 11, 1929, ratified.
Do.	Prevention of the smuggling of alcoholic beverages with Japan, signed at Washington, May 31, 1928.	Jan. 24, 1929, reported.	Jan. 26, 1929, ratified.
Do.	Conciliation with Czechoslovakia, signed at Washington, Aug. 16, 1928.	Dec. 19, 1928, reported.	Dec. 20, 1928, ratified.
Do.	Conciliation with Poland, signed at Washington, Aug. 16, 1928.	do.	Do.
Do.	Conciliation with Lithuania, signed at Washington, Nov. 14, 1928.	do.	Do.
Do.	Conciliation with Finland, signed at Washington June 7, 1928.	do.	Do.
Do.	Conciliation with Austria, signed at Washington Aug. 16, 1928.	do.	Do.
Do.	Arbitration with Austria, signed at Washington Aug. 16, 1928.	Dec. 17, 1928, reported.	Dec. 18, 1928, ratified.
Do.	Arbitration with Lithuania, signed at Washington Nov. 14, 1928.	do.	Do.
Do.	Arbitration with Finland, signed at Washington June 7, 1928.	do.	Do.
Do.	Arbitration with Denmark, signed at Washington June 14, 1928.	do.	Do.
Do.	Arbitration with Poland, signed at Washington Aug. 16, 1928.	do.	Do.
Do.	Arbitration with Czechoslovakia, signed at Washington Aug. 16, 1928.	do.	Do.
Do.	Arbitration with Albania, signed at Washington Aug. 22, 1928.	do.	Do.
Do.	Arbitration with Sweden, signed at Washington Oct. 27, 1928.	do.	Do.
Jan. 23, 1929	Conciliation with the Kingdom of the Serbs, Croats, and Slovenes, signed at Washington Jan. 21, 1929.	Jan. 30, 1929, reported.	Jan. 31, 1929, ratified.
Do.	Conciliation with Bulgaria, signed at Washington Jan. 21, 1929.	do.	Do.
Do.	Arbitration with the Kingdom of the Serbs, Croats, and Slovenes, signed at Washington Jan. 21, 1929.	do.	Do.
Do.	Arbitration with Bulgaria, signed at Washington Jan. 21, 1929.	do.	Do.
Jan. 26, 1929	General convention of inter-American conciliation, signed at Washington Jan. 5, 1929.	Feb. 20, 1929, reported.	Feb. 20, 1929, ratified.
Jan. 26, 1929	Arbitration with Hungary, signed at Washington, Jan. 26, 1929.	Feb. 13, 1929, reported.	Feb. 18, 1929, ratified.
Do.	Conciliation with Hungary, signed at Washington, Jan. 26, 1929.	do.	Do.
Feb. 11, 1929	Supplementary extradition treaty with France, signed at Paris, Jan. 15, 1929.	Feb. 27, 1929, reported.	Feb. 28, 1929, ratified.
Feb. 25, 1929	Arbitration with Norway, signed at Washington, Feb. 20, 1929.	Feb. 26, 1929, reported.	Feb. 27, 1929, ratified.
Feb. 26, 1929	Agreement with Netherlands extending arbitration convention of May 2, 1908, signed at Washington, Feb. 27, 1929.	Mar. 2, 1929, reported.	Mar. 2, 1929, ratified.
Jan. 3, 1929	Abolition of import and export prohibitions and restrictions, signed at Geneva, Nov. 8, 1927.	Sept. 18, 1929, reported.	Sept. 19, 1929, ratified.
Jan. 30, 1929	General treaty of inter-American arbitration, signed at Washington, Jan. 5, 1929.	Feb. 13, 1929, hearings.	Do.
Mar. 2, 1929	A treaty of arbitration with Portugal, signed at Washington, Mar. 1, 1929.	May 16, 1929, reported.	May 22, 1929, ratified.
Apr. 18, 1929	Arbitration with Ethiopia, signed at Addis-Ababa, Jan. 26, 1929.	do.	Do.
Do.	Arbitration with Rumania, signed at Washington, Mar. 21, 1929.	do.	Do.
Do.	Arbitration with Belgium, signed at Washington, Mar. 20, 1929.	do.	Do.
Do.	Conciliation with Ethiopia, signed at Addis-Ababa, Jan. 26, 1929.	do.	Do.
Do.	Conciliation with Rumania, signed at Washington, Mar. 21, 1929.	do.	Do.
Do.	Conciliation with Belgium, signed at Washington, Mar. 20, 1929.	do.	Do.
Apr. 29, 1929	Arbitration with Luxembourg, signed at Luxembourg, Apr. 6, 1929.	do.	Do.
Do.	Conciliation with Luxembourg, signed at Luxembourg, Apr. 6, 1929.	do.	Do.
Oct. 21, 1929	Conciliation with Egypt, signed at Washington, Aug. 27, 1929.	Jan. 8, 1930, reported.	Jan. 20, 1930, ratified.
Do.	Arbitration with Egypt, signed at Washington, Aug. 27, 1929.	do.	Do.
Do.	Conciliation with Estonia, signed at Washington, Aug. 27, 1929.	do.	Do.
Dec. 5, 1929	Arbitration with Estonia, signed at Washington, Aug. 27, 1929.	do.	Do.
Jan. 21, 1930	Commerce and navigation with the Turkish Republic, signed at Ankara, Oct. 1, 1929.	Jan. 22, 1930, reported.	Feb. 17, 1930, ratified.
	Arbitration with the Netherlands, signed at Washington, Jan. 13, 1930.	do.	Jan. 31, 1930, ratified.

Treaties acted upon by the Senate since December 1, 1921.—Continued

Date of reference to committee	Subject	Action in committee	Action in Senate
Jan. 22, 1930	Treaty with Great Britain with reference to the boundary between the Philippine Archipelago and North Borneo, signed at Washington, Jan. 2, 1930.	Feb. 5, 1930, reported.....	Feb. 11, 1930, ratified.
Feb. 18, 1930	Arbitration with Latvia, signed at Riga, Jan. 14, 1930.	Feb. 19, 1930, reported.....	Mar. 22, 1930, ratified.
Do.....	Conciliation with Latvia, signed at Riga, Jan. 14, 1930.	do.....	Do.
Mar. 7, 1930	Treaty with Austria for extradition of fugitives from justice, signed at Vienna, Jan. 31, 1930.	June 2, 1930, reported.....	June 16, 1930, ratified.
May 1, 1930	Treaty for the limitation and reduction of naval armaments, signed at London, Apr. 22, 1930.	May 13, 1930, hearings; May 26, 1930, reported.	July 21, 1930, ratified.
May 19, 1930	Arbitration with Iceland, signed at Washington, May 19, 1930.	June 2, 1930, reported.....	June 16, 1930, ratified.
May 29, 1930	Convention with Chile to aid in the prevention of liquor smuggling, signed at Washington, May 27, 1930.	June 27, 1930, reported.....	June 28, 1930, ratified.
June 23, 1930	Conciliation with Greece, signed at Washington, June 19, 1930.	do.....	Do.
Do.....	Arbitration with Greece, signed at Washington, June 19, 1930.	do.....	Do.
Do.....	Convention with Poland to aid in the prevention of liquor smuggling, signed at Washington, June 19, 1930.	do.....	Do.

NOMINATIONS OF WATER POWER COMMISSIONERS

Mr. COUZENS. Mr. President, a short while ago I reported to the Senate the nominations of three members of the Water Power Commission. I ask unanimous consent that those nominations may be considered at this time.

The VICE PRESIDENT. Is there objection?

Mr. WALSH of Montana. Mr. President, this is too grave a matter to be disposed of in this precipitous manner. I think the nominations of members of the Federal Power Commission had better go over. The gentlemen nominated may be all right; I have no information that leads me to believe that the appointment of any of them is not wise; but, on the other hand, we have no information whatever concerning who they are, what their relationships or associations may be, and none of them have any reputation, at least beyond the States from which they come.

One of them is from my neighboring State of Wyoming, and his nomination is approved by the Senators from that State. I have very great confidence in both those Senators and would ordinarily rely upon their judgment. Another comes from my neighboring State of Washington. I dare say he is an excellent man; but really we ought to have some further information, and, under the circumstances, I feel constrained to object to the immediate consideration of the nominations.

Mr. COUZENS. Mr. President, will the Senator withhold his objection for a moment?

Mr. WALSH of Montana. Yes.

Mr. COUZENS. All of the gentlemen nominated to the Federal Power Commission have been recommended by the Senators from their respective States. The Senator from Montana is mistaken when he says we have no information about the nominees. We have quite extensive information, which I am prepared to present if I obtain consent to have the nominations considered, but I do not want the statement to go unchallenged that we have no information concerning the nominees.

Mr. WALSH of Montana. The Senator exhibited to me such information as he has about the nominees, which is the ordinary brief statement that comes from the Executive Office with nominations. I will be glad, however, to withhold the objection which I made until the Senator presents the information he has in connection with these appointments.

Mr. COUZENS. Of course, if the Senator is going to object because of insufficiency of time in which to consider the nominations, it is obviously unnecessary for me to proceed to describe the qualifications of the nominees.

Mr. McKELLAR. Mr. President, will the Senator from Montana yield to me?

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from Tennessee?

Mr. WALSH of Montana. I yield.

Mr. McKELLAR. Mr. President, we have in Tennessee a great number of magnificent water-power sites which have been the subject of controversy for quite a while. I know nothing except what is creditable to the gentlemen who have been nominated for the Power Commission, although I know very little except what I have seen in the newspapers. The question of power development, however, is so vital to my State that I want to be more accurately informed about the nominees. I take no position about them now, because the gentlemen who have been nominated, it seems, are highly recommended, but I believe the matter of power development is too important and too vital, especially to my State, for the nominees to be confirmed at this time, and I shall be constrained to join the Senator from Montana in objecting to the present consideration of the nominations.

The VICE PRESIDENT. Objection is made.

NOMINATION OF WILLIAM M. JARDINE

Mr. BORAH. From the Committee on Foreign Relations I report back favorably the nomination of William M. Jardine to be envoy extraordinary and minister plenipotentiary of the United States to Egypt. I ask unanimous consent for the immediate consideration of the nomination.

The VICE PRESIDENT. Is there objection? The Chair hears none, and, without objection, the nomination is confirmed, and the President will be notified.

NOMINATION OF A. PENDLETON STROTHER

Mr. SMOOT. From the Committee on Finance I report back favorably the nomination of A. Pendleton Strother, of Roanoke, Va., to be collector of internal revenue for the district of Virginia in place of John C. Noel. I ask unanimous consent for the immediate consideration of the nomination.

The VICE PRESIDENT. Is there objection? The Chair hears none, and, without objection, the nomination is confirmed, and the President will be notified.

NOMINATION OF NICHOLAS ROOSEVELT

Mr. HARRISON obtained the floor.

Mr. BINGHAM. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Connecticut?

Mr. HARRISON. I will yield to the Senator, of course, but I desire to occupy the floor for only a few moments.

Mr. BINGHAM. I merely wish to make an announcement.

Mr. President, some question has arisen in regard to the nomination of Mr. Nicholas Roosevelt, of New York, to be Vice Governor General of the Philippine Islands. On account of the fact that the Commissioners from the Philippine Islands, as well as certain persons in the Philippines, have asked to be heard on the nomination, it will be necessary to hold hearings. There is not time to hold them before the end of the present session. Therefore, the hearings will not be held until the Congress shall convene next fall.

I ask unanimous consent that there may be printed in connection with my remarks a letter from one of the Resident Philippine Commissioners.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 21, 1930.

Hon. HIRAM BINGHAM,

Senate Office Building, Washington, D. C.

DEAR MR. CHAIRMAN: With reference to the nomination of Mr. Nicholas Roosevelt as Vice Governor of the Philippine Islands, I have the honor to inform you that the people of the Philippine Islands, as well as the leaders of all political parties in the Philippines, are strongly opposed to his appointment. The following cablegram, signed by President Queson of the Philippine Senate, Senator Osmena, president pro tempore of the senate, and Representative Alas, acting speaker of the house of representatives, expresses the views of the people of the Philippine Islands on this appointment:

MANILA, July 22, 1930.

ROXAS, Washington:

Nicholas Roosevelt has been mentioned as candidate for Vice Governor. Our people are strongly opposed to his appointment.

QUESON.
OSMENA.
ALAS.

The signers of this telegram are not only the highest elective officials of the Philippine government but also the recognized leaders of the majority party in the legislature.

As regards the minority party in the Philippine Islands, Senator Juan Sumulong, president of the Democratic Party and minority floor leader in the Philippine Senate, who is at present in Washington as a member of the legislative mission, despite the fact that his party has always taken the attitude of refraining from any intervention with regard to such appointments, also feels constrained to oppose this appointment. Similar opposition is expressed by Mr. Manuel Roxas, Speaker of the Philippine House of Representatives of the Philippine Islands and chairman of the mission.

This sentiment of the Filipino people, so clearly adverse to the appointment of Mr. Roosevelt, has been officially expressed in a resolution unanimously adopted by the Senate of the Philippine Islands and which in due time, we are assured, will be concurred in by the house of representatives.

The following cablegram has been received from Senator Osmena, acting president of the Philippine Senate:

MANILA, July 21, 1930.

ROXAS, Washington:

Senate unanimously passed to-day resolution protesting against Roosevelt's appointment. House concurrence expected. Will cable text.

OSMENA.

The opposition of the Filipino people to the appointment of Mr. Roosevelt is based principally on the following grounds: First, the attitude of Mr. Roosevelt toward the Filipino people has been one of antagonism rather than of sympathy; second, in his criticisms of the Filipino people he is actuated by prejudices against the Filipino people as a race; third, he has expressed himself as out of sympathy with the present policy of the American Government in the Philippines, declaring that "our first quarter of a century in the Philippines has been an experiment in misapplied altruism"; fourth, in his writings on the Philippines Mr. Roosevelt has most unjustly criticized the leaders of the Filipino people, without whose cooperation he could not render useful and constructive service to the government of the Philippines; fifth, Mr. Roosevelt has also made repeated criticisms of the system of mass education in the Philippines and has shown unconcealed enthusiasm for European colonial systems, especially that of Holland in Java, which he offers to the United States as a model which America should follow in her effort to establish an "efficient colonial administration, and to develop the vast resources of the islands to the profit of all concerned"; sixth, the appointment of Mr. Roosevelt will be received in the Philippines as an indication of a change in the policy which the United States has thus far pursued in the Philippines and the initiation of a utilitarian and selfish policy in the Philippines.

For these and other reasons, Mr. Chairman, I have the honor to request that the Philippine representatives in Washington be given an opportunity to appear before your committee and express their views in opposition to the confirmation of the appointment of Mr. Nicholas Roosevelt as Vice Governor of the Philippine Islands.

Very respectfully,

PEDRO GUEVARA.

The Senate proceeded to the consideration of legislative business.

APPROVAL OF THE LEGISLATIVE JOURNAL OF JULY 8

The VICE PRESIDENT. Without objection, the legislative Journal for the legislative day of Tuesday, July 8, 1930, will be approved.

PACKERS' CONSENT DECREE OF 1920

The VICE PRESIDENT laid before the Senate a communication from the Attorney General, transmitting in response to Senate Resolution 275, certain information relative to the so-called packers' consent decree of 1920, which was ordered to lie on the table and to be printed.

PAYMENT OF MILEAGE

Mr. DENEEN. I report back favorably from the Committee to Audit and Control the Contingent Expenses of the Senate, Senate Resolution 329, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 329) submitted by Mr. WATSON on the 19th instant, was read, considered, and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the appropriation for expenses of inquiries and investigations, contingent expenses of the Senate, fiscal year 1930, to Senators their mileage for the present special session of the Senate.

INVESTIGATION BY TARIFF COMMISSION—BLOWN-GLASS TABLEWARE

Mr. HATFIELD submitted the following resolution (S. Res. 330), which was read, considered by unanimous consent, and agreed to:

Resolved, That the United States Tariff Commission is directed, under the authority conferred by section 336 of the tariff act of 1930, and for

the purposes of that section, to investigate the differences in the costs of production of the following domestic articles and of any like or similar foreign articles: Blown-glass tableware.

MEMBERS OF THE TARIFF COMMISSION

Mr. HARRISON. Mr. President, I ask unanimous consent to address the Senate for just a few moments.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Mississippi is recognized.

Mr. HARRISON. Mr. President, in the campaign of President Hoover, just before the election, he stated that he would call an extra session of Congress to deal with farm relief in the event he should be elected. He called an extra session of Congress in April to deal with a limited revision of the tariff; so for 15 months that question was considered and discussed, not only here but through the press of the country.

While much was said about rates in that controversy, the major questions around which the discussion revolved was the flexible provision and the reorganization of the Tariff Commission. Indeed, it was stated during the closing hours of the consideration of that important question that certain interests in the country had been promised relief through the prompt reorganization of the Tariff Commission and a consideration of the applications for a jacking-up of the rates or a lowering of the rates, as the case might be.

The President, in his message to the Congress, in discussing the tariff question, called attention to the reorganization of the commission and its importance. When he signed the bill, he gave out a statement which was published throughout the country saying that the inequalities in the law would be taken care of through the flexible provision and that it would be done promptly and efficiently.

I have been amazed, Mr. President, as I am sure other Senators here have been amazed, and the country ought to be amazed, after the statements of the President as to the great good that was going to come from the creation of this new organization, how these inequalities that were pointed out would be cured through the magic hand of the reorganized Tariff Commission, that he has not followed through, and sent the names of his new commission to the Senate for consideration.

That bill became a law in June. He has had now six weeks in which to send to the Senate the names of his Tariff Commission. No one, I dare say, could have imagined that the President, after calling an extra session of the Senate to consider this treaty and consider nominations, would fail to send the names of members of the Tariff Commission here for our consideration.

We have now been engaged in this session for two weeks. Of course, the President thought this naval treaty was all-important. He thought, some 15 months ago, that the Tariff Commission was all-important. Indeed, he thought it was so important as to call an extra session of the Congress, and to drive it through under the whip and spur of Executive influence. At times in the discussion of the tariff question we thought the tariff bill was almost dead. Indeed, about the only one who thought it was alive was the distinguished Senator from Utah [Mr. SMOOT]. His colleague on the committee, the senior Senator from Pennsylvania [Mr. REED], proclaimed its death here upon the floor of the Senate. He left for new fields of endeavor, and there was ushered into this body another Senator from Pennsylvania. As soon as he touched it with his magic finger and began to crack his whip over the majority members of the Finance Committee and other Members over there, of course he again put the tariff bill on the road to passage; and he is entitled to all the credit that has been showered upon him by his Republican colleagues here, as well as the press of the country. He won the right to have the bill bear his name; and the papers that have dubbed this tariff bill the Grundy-Smoor bill were right in doing so. No one would dare to rise upon the floor of the Senate and dispute the marvelous power and influence that GRUNDY exercised in formulating and passing that tariff bill.

But, Mr. President, no one dreamed that the President of the United States, after he had proclaimed the importance of the flexible provision and the newly organized Tariff Commission, would have refrained for this length of time from sending that list of names here. For two weeks we have been here, as I say, and the names have not come. I do hope that the Senate will not adjourn until the President shall have sent the names of the members of the Tariff Commission here.

What is the object of it? Oh, Senators over there smile. I see the benign countenance of my friend from Indiana [Mr. WATSON].

Mr. WATSON. Mr. President, will the Senator yield?

Mr. HARRISON. I do not yield right now.

Mr. WATSON. I just wanted—

Mr. HARRISON. Not now. I desire to pay a tribute to the Senator from Indiana first. Of course, he and the other Senator whom I see smiling over there, the Senator from Ohio [Mr. Fess], are on the inside of this matter. Perhaps they know the reasons why the Tariff Commission membership has not been sent to the Senate.

I will tell you what the country is going to think about it, and I will tell you why I think the President has not sent the names here. Before I do, let me ask how the country is going to have faith in a President who says, "Let us reorganize the commission; give me the flexible provision, with its broadened powers, and I will see that prompt action shall be taken, and these delays shall be done away with," but for two weeks holds off; for six weeks since the passage of the bill he has held off; for 15 months and more he has held off, since the bill was reported to the House of Representatives, carrying with it the provision that this Tariff Commission would be reorganized, would be made a bipartisan commission, and have broader powers. Is it because he does not want the searchlight of publicity thrown upon the nominations for this reorganized Tariff Commission? Does he want to wait until the Senate shall have adjourned, and we have gone to our respective homes, and then make recess appointments of these men? No voice then can be lifted on the floor of the Senate to tell the country whether the particular individuals who shall compose the Tariff Commission are controlled by some special interest in the country or are special advocates of some particular special interest.

The President may think that the country will pay no attention to the matter then; that he can slip in his appointments, that the new men will take the places of the present commissioners, and that they will begin to lay plans for their future work. They have big and broad powers, Mr. President. In my opinion, it is more important to the American people that we should have received these nominations for the Tariff Commission during this special session of the Senate, and that we should have considered the character of the men appointed, than even that we should have considered the naval treaty that has been before us.

There may be some doubt as to the good that will come from the naval treaty; but every industry in this country, every man and woman throughout this broad land of ours, is interested in the character of the men who will form the newly organized Tariff Commission. After we have adjourned, perhaps this afternoon, after we have gone to our homes, the President can appoint his new commissioners to-morrow. They can take their places and begin to perform their duties the day after to-morrow. The third day they may dismiss from the service, if they want to, some of the heads of various branches of the Tariff Commission, and put in new men. They have that power.

I know, from expressions that fell from the lips of some of the conferees while we were sitting in conference on the tariff question, that they do not like some of the men who are at the head of some of the divisions of the Tariff Commission. I have heard some distinguished Republicans who now honor me with their presence say that such and such a man ought to be put out of a particular position. Why? Because these men stood up for the people. They tried to get the real facts. They were not influenced by the pottery interest, or by the steel interest, or by some other special interest in this country.

I want to see the Tariff Commission raised to a high level, so that when they make a recommendation it will be upon real facts, based upon the difference in cost of production here and abroad, and that they will be so divorced from certain interests in this country that they can ascertain the facts unhampered and uninfluenced.

Mr. SWANSON. Mr. President, will the Senator yield to me?

Mr. HARRISON. I yield to the Senator from Virginia.

Mr. SWANSON. When do the offices of the present members of the Tariff Commission become vacant, under the law that was passed?

Mr. HARRISON. Immediately upon the approval of the bill, which was signed, I believe, on June 17.

Mr. SWANSON. Does the Senator mean that they are vacant now?

Mr. HARRISON. The President was given the power to appoint six new commissioners, three of whom should be of the opposite political faith, a bipartisan commission; but the law had in it a provision that the present members of the commission could serve until their successors were appointed, but they

could not serve longer than 90 days. In other words, if the President does not name their successors by the 15th day of September, we shall have no Tariff Commission.

Mr. SWANSON. I asked the Senator the question for this reason: In talking with the senior Senator from Idaho [Mr. BOBAH] and the senior Senator from Washington [Mr. JONES] and looking at the Constitution, attention was called to the fact that the Constitution gives the President the power to fill vacancies that occur during the recess of the Senate. If these vacancies occurred while the Senate was in session, I doubt if he has any power to appoint them in the interim. It was drawn that way so as to permit the President to appoint them in recess.

Mr. HARRISON. Yes; it was drawn in such a way that this commission could hold over 90 days after the passage of the act, and that during that time these new members might be appointed. He might appoint them later than 90 days afterwards, but the present commission could not hold office longer than 90 days after the bill became a law.

Mr. SMOOT. Mr. President, of course the Senator knows that there was no objection to that by any member of the Finance Committee.

Mr. HARRISON. Oh, well, we assumed that surely the President, who had proclaimed the idea that this commission was to deal quickly and promptly with these questions, and that he wanted to do away with the delay that had been caused, would not take 18 months to name a commission. I dare ask the Senator from Utah now—well, I will not ask him that, because he is staying up at the White House, and it would be embarrassing to him to answer the question.

Mr. SMOOT. The Senator will not embarrass me by any question he asks.

Mr. HARRISON. I will not press the question, because I would not embarrass the Senator in any way, especially in these beautiful days.

Mr. SMOOT. Do not take that into consideration.

Mr. HARRISON. Oh, yes; I have a tender heart.

Mr. SMOOT. Any question that the Senator wishes to ask me I am perfectly willing to answer if I can.

Mr. HARRISON. I know, but I am not going to embarrass the Senator.

Mr. SWANSON. I understand that the provision for the Tariff Commission was adroitly drawn so that vacancies would not occur except during a recess of the Senate, so that they could operate in the interim before the Senate assembled in December. It seems to me from what was said that the appointments have been delayed for 90 days, which prevents the Senate from confirming the nominations. The Constitution provides that the President can make appointments if vacancies occur during a recess of the Senate. I doubt whether he has authority to do so if a vacancy occurs while the Senate is in session.

Mr. HARRISON. Mr. President, I must admit that I think something was put over in the proposition, because evidently it is thought that the President can in recess make the appointments. We never dreamed—the Senator from Virginia certainly did not, and I dare say no other Senator on this side ever dreamed—that the President would not send in the names for the commission before now.

We have just voted to pay ourselves mileage for this extra session, and certainly we ought to be willing to stay here and receive the nominations from the President if he has in mind the men he is going to appoint.

Mr. President, the country can not approve such tactics as these. The names should be sent here so that the proper committee could investigate them. Suppose that after we adjourn, say to-morrow, the President gives a recess appointment to the present chairman of the Tariff Commission, Mr. Brossard. Everyone knows he is a special advocate of the sugar interests in this country. He admitted in the hearings that he was appointed largely because of the recommendation and indorsement of the Senator from Utah. Brossard admitted, too—he denied at first in the investigation of the Tariff Commission that he had anything to do with the writing of the minority sugar report, the one which stood for the higher rates, when a majority of the commission in their report stated that the tariff was too high, and found that a reduction ought to be made. He first denied having anything to do with it, but when the committee investigating ascertained that he was one of the three men who had written the report on sugar they called him back, and then he said he had made a mistake about the proposition.

It may be that when we shall have adjourned the President will send in Brossard's name for appointment. That would be

pleasing to the Senator from Utah, yes; it would be pleasing to the sugar interests of the country, yes; but it would not be pleasing to the 120,000,000 sugar consumers of this country. When the President starts appointing men on the Tariff Commission who are special advocates, then he is going to destroy the influence of the Tariff Commission.

It may be that when we shall have adjourned the President will send in the name of Marvin, one of the present commissioners, who represented, as secretary, a committee of business men up in Boston who believed in the highest protective rates. It is just such men as that, who are special advocates of some special interests, who should not be appointed on a tariff commission.

These nominations should have come to the Senate. The idea of sending in the names of the Water Power Commission and not sending in the names of the tariff commissioners. It may be that the appointments are to be made in vacation, so that they can organize the next day, dismiss from the service some of the faithful heads of some of the bureaus who have not given to the protected interests as large increases in tariff rates as they desired, and put in some other fellows who are weaklings or the tools of certain special interests.

I hope the Senate will stay in session so that the President can send the names in. Of course, if he is a party to this thing, then I suppose we can not do anything else but adjourn and go to our homes and let him make his recess appointments, but I serve notice now that if he does make recess appointments, when we do meet in December, the record of every man who is appointed to the Tariff Commission will be scrutinized from the time he was 21 years of age. Everything he has done with reference to his particular work and business will be known, and if certain men are appointed, they are going to be opposed upon the floor of the Senate of the United States.

Mr. SMOOT. Mr. President, I expected just such an outburst from the Senator from Mississippi [Mr. HARRISON] in relation to the Tariff Commission. I want to say to the Senator from Mississippi that I understand—and I take it to be a fact—that the President of the United States has been scouring the country for a chairman of the Tariff Commission. He has offered the position to a number of men, and up to the present time all have refused to accept the appointment at the hands of the President.

As to any other member of the commission outside of the chairman, I have never heard the President say anything. I do not know whom he will select, but I do know that he has offered to at least three men in the United States the chairmanship of the Tariff Commission, and that they have all refused.

I am quite sure that if the President could have obtained the consent of one man whom he thought was particularly well qualified for the position as chairman, perhaps he would have sent to the Senate the names of the commissioners. All the intimations of the Senator from Mississippi as to the reasons why the appointments were not sent in fall to the ground, in my opinion.

Mr. President, it is true that Mr. Brossard has been a member of the Tariff Commission. I think he is the oldest member of the commission in point of service. It is true that he served as chairman of the commission, but I want to say to the Senator from Mississippi that in my opinion he has served as well as any man who has ever held that position. He has been fair not only to the sugar industry, as the Senator says, but every item of industry which has been acted upon by the commission since Mr. Brossard's appointment, and he is just as honest, I will say to the Senator from Mississippi, in arriving at a conclusion as any man on the commission. He is not any more interested in sugar than he would be in any question that might be brought before the commission. I say that to the Senator without a moment's hesitation. I know Mr. Brossard. I know he is an honest man, and I know that he would not lean toward sugar more than any other commodity which might be brought before the commission for consideration.

Mr. HARRISON. Mr. President, would it be out of place if I should ask the Senator if he has indorsed Mr. Brossard for reappointment?

Mr. SMOOT. I have not indorsed him, but I hope for his reappointment. I have never said anything to the President in relation to any other man for appointment to the commission.

Mr. HARRISON. May I say to the Senator that I never expected him to have a different opinion about Mr. Brossard than that he has expressed.

Mr. SMOOT. I will say to the Senator that I know him just as well as the Senator does, and a great deal better.

Mr. HARRISON. But the Senator did find one mistake he made at one time, or Mr. Brossard admitted he had made a mistake when he issued a press statement saying that agriculture would be benefited by the tariff bill. I believe the Senator said that Mr. Brossard said that there was a mistake of one word in that publication.

Mr. SMOOT. Yes; and so did another member of the commission, a Democratic member at that. He said that to me personally, and I will say the same thing to the Senator.

Mr. HARRISON. That does not make me any more disposed to approve it. I do not defend the commissioner because he happens to be a Democrat. The Senator knows quite well that Mr. Dennis, whom he has in mind, is very close to the President of the United States.

Mr. SMOOT. I do not charge Mr. Dennis with any intention whatever of leading anyone in the United States to believe anything that was not a fact. Mr. Dennis was just as honest in that as Mr. Brossard, and just the very next day after the word was left out, simply one word, they made a correction. I expect the Senator from Mississippi during the whole campaign to bring that up before the people in an attempt to show what these two members of the commission tried to "put over" on the farmers of the country.

Mr. HARRISON. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. HARRISON. Does not the Senator think it is a great mistake for the Tariff Commission to say, in a published statement gotten out by their own bureau, that "Agriculture will be benefited by the tariff," omitting the word "not," so that it would have read "Agriculture will not be benefited by the tariff"?

Mr. SMOOT. The word "not" was not the word intended to be used. The Senator puts the word "not" in, and that is exactly what he will do during the whole campaign, when none of his hearers will know what the facts are in the matter. He is going to try to make the farmer believe that he is not benefited by the tariff, but I could show the Senator resolutions from farm organizations all over the country in which they claim otherwise. I want to say also that they are and will be benefited by the tariff, and all the farmers in this country know it.

I had no more idea, when the wording as to the appointment of the commissioners was inserted in the tariff bill, that it would ever bring up a doubt in anybody's mind than I expected that I would live. There was no other intention than to give to the President of the United States 90 days in which to select the new commissioners, as provided for under that measure.

I have no doubt, Mr. President, but that within 90 days the President will select the commissioners. I know nothing as to where they will come from, I know nothing as to the appointments. I do know, however, as I have already said, that the President of the United States has tried to secure a man whom he thought was exceptionally qualified for the chairmanship of the commission, and up to the present time at least three have refused.

ORDER FOR FINAL ADJOURNMENT

Mr. WATSON. Mr. President, the Senator from Pennsylvania [Mr. REED] desires to introduce a resolution of regret and respect because of the death of Representative KIESS, of Pennsylvania. Before he does so I ask unanimous consent that when the Senate adjourns to-day it adjourn sine die.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

DEATH OF REPRESENTATIVE KIESS

Mr. REED. Mr. President, it is my sad duty to announce to the Senate the death of Representative EDGAR R. KIESS, of Pennsylvania. Mr. KIESS for more than 15 years served his district, his State, and his country with ability and fidelity.

I am about to present resolutions of condolence and request for the appointment of a senatorial committee to attend the funeral. At the request of the Senator from Connecticut [Mr. BINGHAM] I have included in the resolution a phrase calling for an invitation to be extended to Mr. GUEVARA, a Resident Commissioner from the Philippines. Because the House is in adjournment it is not possible for the Speaker to appoint him to be a member of the committee to attend the funeral. Therefore, as he was an intimate friend for a long time of Mr. KIESS and connected with him in his work in the Committee on Insular Affairs, I am asking that he be included in the resolution which I now send to the desk.

The VICE PRESIDENT. The clerk will read the resolutions. The resolutions (S. Res. 331) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with deep regret of the announcement of the death of Hon. EDGAR RAYMOND KIRSS, late a Representative from the State of Pennsylvania.

Resolved, That a committee of seven Senators be appointed by the Vice President to attend the funeral of Mr. KIRSS, and that the Resident Commissioner from the Philippine Islands, Mr. GUNVARA, be invited to accompany the committee.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, when it shall reassemble, and transmit a copy thereof to the family of the deceased.

Under the second resolution the Vice President appointed as the committee the senior Senator from Pennsylvania [Mr. REED], the senior Senator from Nevada [Mr. PITTMAN], the senior Senator from New Hampshire [Mr. MOSES], the senior Senator from Georgia [Mr. HARRIS], the senior Senator from Connecticut [Mr. BINGHAM], the junior Senator from Louisiana

[Mr. BROUSSARD], and the senior Senator from Minnesota [Mr. SHIPSTEAD].

Mr. REED. Mr. President, as a further mark of respect to the memory of the deceased Representative I move that the Senate do now adjourn.

The motion was unanimously agreed to; and the Senate (at 5 o'clock and 2 minutes p. m.) adjourned, the adjournment being sine die under the order previously made.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 21, 1930

ENVOY EXTRAORDINARY AND MINISTER Plenipotentiary

William M. Jardine, to Egypt.

ADMINISTRATOR OF VETERANS' AFFAIRS

Frank T. Hines.

COLLECTOR OF INTERNAL REVENUE

A. Pendleton Strother, for the district of Virginia.

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NAMES AND POST-OFFICE ADDRESSES

OF

SENATORS

IN THE

SPECIAL SESSION OF THE SEVENTY-FIRST CONGRESS

CHARLES CURTIS, Vice President, Topeka, Kans.

GEORGE H. MOSES, President pro tempore, Concord, N. H.

Name	Home post office	Name	Home post office
Allen, Henry J.	Wichita, Kans.	La Follette, Robert M., jr.	Madison, Wis.
Ashurst, Henry F.	Prescott, Ariz.	McCulloch, Roscoe C.	Canton, Ohio.
Baird, David, Jr. ¹	Camden, N. J.	McKellar, Kenneth	Memphis, Tenn.
Barkley, Alben W.	Paducah, Ky.	McMaster, William H.	Yankton, S. Dak.
Bingham, Hiram	New Haven, Conn.	McNary, Charles L.	Salem, Oreg.
Black, Hugo L.	Birmingham, Ala.	Metcalf, Jesse H.	Providence, R. I.
Blaine, John J.	Boscobel, Wis.	Moses, George H.	Concord, N. H.
Blease, Coleman L.	Columbia, S. C.	Norbeck, Peter	Redfield, S. Dak.
Borah, William E.	Boise, Idaho.	Norris, George W.	McCook, Nebr.
Bratton, Sam G.	Albuquerque, N. Mex.	Nye, Gerald P.	Cooperstown, N. Dak.
Brock, William E.	Chattanooga, Tenn.	Oddie, Tasker L.	Reno, Nev.
Brookhart, Smith W.	Washington, Iowa.	Overman, Lee S.	Salisbury, N. C.
Broussard, Edwin S.	New Iberia, La.	Patterson, Roscoe C.	Kansas City, Mo.
Capper, Arthur	Topeka, Kans.	Phipps, Lawrence C.	Denver, Colo.
Caraway, T. H.	Jonesboro, Ark.	Pine, W. B.	Okmulgee, Okla.
Connally, Tom	Marlin, Tex.	Pittman, Key	Tonopah, Nev.
Copeland, Royal S.	New York City, N. Y.	Ransdell, Joseph E.	Lake Providence, La.
Couzens, James	Detroit, Mich.	Reed, David A.	Pittsburgh, Pa.
Cutting, Bronson	Santa Fe, N. Mex.	Robinson, Arthur R.	Indianapolis, Ind.
Dale, Porter H.	Island Pond, Vt.	Robinson, Joseph T.	Little Rock, Ark.
Deneen, Charles S.	Chicago, Ill.	Robson, John M. ²	Barbourville, Ky.
Dill, Clarence C.	Spokane, Wash.	Sackett, Frederic M. ⁴	Louisville, Ky.
Fess, Simeon D.	Yellow Springs, Ohio.	Schall, Thomas D.	Minneapolis, Minn.
Fletcher, Duncan U.	Jacksonville, Fla.	Sheppard, Morris	Texarkana, Tex.
Frazier, Lynn J.	Hoopole, N. Dak.	Shipstead, Henrik	Minneapolis, Minn.
George, Walter F.	Vienna, Ga.	Shortridge, Samuel M.	Menlo Park, Calif.
Gillett, Frederick H.	Springfield, Mass.	Simmons, Fumfold M.	New Bern, N. C.
Glass, Carter	Lynchburg, Va.	Smith, Ellison D.	Lynchburg, S. C.
Glenn, Otis F.	Murphysboro, Ill.	Smoot, Reed	Provo, Utah.
Goff, Guy D.	Clarksburg, W. Va.	Steck, Daniel F.	Ottumwa, Iowa.
Goldsborough, Phillips Lee	Baltimore, Md.	Steiner, Frederick	Portland, Oreg.
Gould, Arthur R.	Presque Isle, Me.	Stephens, Hubert D.	New Albany, Miss.
Greene, Frank L.	St. Albans, Vt.	Sullivan, Patrick J. ³	Casper, Wyo.
Grundy, Joseph R. ¹	Bristol, Pa.	Swanson, Claude A.	Chatham, Va.
Hale, Frederick	Portland, Me.	Thomas, Elmer	Medicine Park, Okla.
Harris, William J.	Cedartown, Ga.	Thomas, John	Gooding, Idaho.
Harrison, Pat.	Gulfport, Miss.	Townsend, John G., jr.	Shelbyville, Del.
Hastings, Daniel O.	Wilmington, Del.	Trammell, Park	Lakeland, Fla.
Hatfield, Henry D.	Huntington, W. Va.	Tydfags, Millard E.	Havre de Grace, Md.
Hawes, Harry B.	St. Louis, Mo.	Vandenberg, Arthur H.	Grand Rapids, Mich.
Hayden, Carl	Phoenix, Ariz.	Vare, William S. ⁵	Philadelphia, Pa.
Hebert, Felix	West Warwick, R. I.	Wagner, Robert F.	New York City, N. Y.
Heflin, J. Thomas	Lafayette, Ala.	Walcott, Frederic C.	Norfolk, Conn.
Howell, Robert B.	Omaha, Nebr.	Walsh, David I.	Clinton, Mass.
Johnson, Hiram W.	San Francisco, Calif.	Walsh, Thomas J.	Helena, Mont.
Jones, Wesley L.	Seattle, Wash.	Warren, Francis E. ¹	Cheyenne, Wyo.
Kean, Hamilton F.	Elizabeth, N. J.	Waterman, Charles W.	Denver, Colo.
Kendrick, John B.	Sheridan, Wyo.	Watson, James E.	Rushville, Ind.
Keyes, Henry W.	North Haverhill, N. H.	Wheeler, Burton K.	Butte, Mont.
King, William H.	Salt Lake City, Utah.		

¹ Appointed November 30, 1929, to fill the unexpired term of Walter E. Edge, resigned in preceding session.

² Appointed December 11, 1929, in place of William S. Vare, who was refused a seat December 6, 1929.

³ Appointed January 9, 1930, to fill the unexpired term of Frederic M. Sackett, resigned.

⁴ Resigned January 9, 1930.

⁵ Appointed December 5, 1929, to fill the unexpired term of Francis E. Warren, deceased.

⁶ Was not sworn and seat declared vacant December 6, 1929.

⁷ Died November 24, 1929.

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